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Early County Chief Constables in the North of England

1880-1905

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Early Chief Constables in the North of England 1880-1905

ABSTRACT

This thesis assesses the authority of nineteenth-century chief constables through a study which was based in four northern counties. It challenges the frequently made generalisation that they were powerful and autonomous men whose relationship with the police authorities was close and amicable. The first section investigates the office holders themselves, their backgrounds, characters, reputations and the circumstances of their administration. It estimates their professional standing while they were supervised by Quarter Sessions. The focus then shifts to an exploration of the potential effects of the implementation of the 1888 Local Government Act on the independence of county chief constables. Subsequent chapters examine chief constables' autonomy after Standing Joint Committees took over police supervision, firstly in their control of industrial disruption and then in their day to day management of the force. The core of the enquiry is contained in accounts of how some chief constables were undermined by members of Standing Joint Committees who made direct attempts to deprive them of their authority. However, in contrast, the thesis also outlines the ways in which they benefited from their communication with Her Majesty's Inspectorate of Constabulary and the Home Office. The thesis concludes with a review of how sources of evidence have contributed to a more complete picture of the authority of the chief constables in the study.

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ABBREVIATIONS

ACPO	Association of Chief Police Officers
C.R.O.	Carlisle Record Office
D.R.O.	Durham Record Office
HC, Deb	House of Commons, Debates
HMIC	Her Majesty's Inspectorate/Inspector(s) of Constabulary
HO	Home Office
K.R.O.	Kendal Record Office
L.R.O.	Lancaster Record Office
L.U.L.	Lancaster University Library
P.P.	Parliamentary Papers
SJC	Standing Joint Committee
TNA	The National Archives

EXPLANATIONS

In order to avoid undue wordiness and repetition:

1. The word 'Cumbria' has sometimes been used in the thesis to denote the counties of Westmorland and Cumberland from 1880 to 1905, although in fact 'Cumbria' is a modern name which was created in 1974 for administrative purposes when the two counties were amalgamated. In addition, Cumberland and Westmorland have occasionally been described in the text as 'the Lake Counties' - a term which is in common usage and which probably dates from the early nineteenth century.

2. On occasions in the thesis county chief constables have been called 'chief constable' or 'county police chief' and several terms have been used for borough chief constables including 'borough head constable' and 'borough police chief'. For information - in 1974, the boundary of Lancashire was changed, when the section north of Morecambe Bay which was known as 'Lancashire North of the Sands' was annexed and added to the new county of Cumbria.

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Chapter One

Topic

The post of county chief constable had been created by the County Police Act of 1839 which sanctioned Quarter Sessions to establish county police forces. They decided on the size of the constabulary and appointed a chief constable who in turn recruited the other officers. He was responsible for the management of the force 'subject' to any 'lawful orders' that he might be given by Quarter Sessions and he was to hold his office until he resigned, retired or was dismissed by them.¹ In fact, there were few occasions when the laws could be imposed on a chief constable and the ambiguity of this clause will be demonstrated in later chapters. The County and Borough Police Act of 1856 made it compulsory for all counties to establish police forces and more chief constables were appointed to command them.² When the county councils were introduced by the Local Government Act in 1888, the oversight of their police was transferred to Standing Joint Committees (SJs) which were composed of equal numbers of magistrates and elected councillors.³ Under the 1856 and 1888 statutes, county chief constables retained the authority which they had been given in 1839. However, the nature of the supervision of county chief constables was altered by the 1888 Act in one respect, when decisions about the extra duties which the police were required to perform passed from the Home Secretary to Standing Joint Committees, County Councils and Quarter Sessions. In contrast to the office of county chief constable that of the borough police chief was not a statutory post. Under the 1835 Municipal Corporations Act the borough council was bound to elect a Watch Committee who was responsible for appointing a police force.⁴ However they appointed a police chief only as the need arose. The status and title of the office developed through the nineteenth century.

1 County Police Act 1839 (2 and 3 Vic c 93)

2 County and Borough Police Act 1856 (19 and 20 Vic c 93)

3 Local Government Act 1888 (51 and 52 Vic c46)

4 Municipal Corporations Act 1835 (5 and 6 Wm c 76)

Despite the increased interest in criminal justice history during the last few decades, the position of county chief constables has received surprisingly little attention. Perhaps this is partly because they have not been regarded as professionals by some historians who have stated that the lack of candidates' policing experience was no impediment to their appointment, and no hindrance to their ability to succeed in the post, which they have considered to be a sinecure. In the case of an incoming chief constable who was replacing a long-standing, effective predecessor, there may have been some justification for this assessment of the office. However, for others the first few years of their tenure must have been a rude awakening, particularly if they were faced with the creation of a new constabulary. In that situation it was often difficult for chief constables to achieve stability, especially for those who had to deal annually with large numbers of resignations and dismissals. The fact that there was no formal instruction for the recruits on entry to the police exacerbated disciplinary problems. Equally, there was no blueprint for the conduct of their newly appointed chief constable who had to quickly develop his own style of management.

In addition to generalising about the autonomy and power of county chief constables, some writers have stereotyped aspects of their antecedents, careers and social *milieu*. The consensus has been that a typical chief constable came from a privileged family, moved in the upper echelons of county society and served as an army officer before joining the police. Although the literature has revealed that there is some truth in these sweeping statements, early research suggested that the position of county chief constables was less clear cut than has been supposed. In fact, it will be shown that it is impossible to typecast their roles and experiences since their spheres of activity were not a level playing field. Apart from anything else there was considerable variation in the sizes of their constabularies and thus in the scale of the challenges that they encountered. For example, how could the position of chief constable of a small county like Rutland compare with that of his counterpart in West Riding? Certain skills, especially the ability to delegate, would have been particularly important for the chief constables of large forces who depended on a strong hierarchical organisation to control the other ranks. The position of all office holders was made more difficult since they were responsible not only to their supervising bodies but also to the county's ratepayers, whose conflict of interest concerned the need for a strong effective police

force and a desire to keep the police rate as low as possible. It will be seen later that these considerations impacted on many decisions that were taken by police authorities.

This thesis seeks to clarify the situation by filling some gaps in the existing knowledge in order to evaluate the authority and status of these county chiefs. The investigation into the status of northern county chief constables targets six office holders. The search for information about the fate of these county police leaders has focused on four counties of varying sizes - Lancashire, Durham, Cumberland and Westmorland, where there was a contrasting balance of rural and urban communities.⁵ Up to this point most of the information about county chief constables has been provided through a series of snapshots in accounts of the changing face of nineteenth-century policing. Because there have been preconceived ideas about their status and role there have been few attempts to produce a rounded picture of the individuals and their differing situations. This thesis assesses the extent of each chief constable's authority, firstly through an analysis of their working conditions but also through an investigation into their relationship with local communities and an evaluation of their contacts with national policing. To some extent, their fortunes were determined by circumstances outside policing, for example by central government policy, by rapid industrialisation and by the current state of the economy. However, their management was primarily affected by developments and reforms within the police. Therefore in this study the main focus is on the chief constables' concerns, their style of leadership and their treatment at the hands of the police authorities who supervised them.

During the course of research several pertinent questions have been addressed. To begin with, it has been important to compare the chief constables as individuals and to identify elements in their environment which could have a bearing on their freedom of action. Therefore, information has been about sought about their personal attributes, families, social background, careers and the situation in the county where they were in office. Attention was paid to their relationship with their police authorities, the autonomy that each of them was able to exercise while they were under the governance, firstly of Quarter Sessions and then of Standing Joint Committees. Were they able to

⁵ APPENDIX ONE, p. 270

direct and discipline their constabularies without interference? Were they given special dispensation to act independently in times when a breakdown in law and order was threatened? The controversial involvement of one Chief Constable in an episode that was associated with industrial unrest was also assessed. Special note was taken of whether these police leaders were supported when they made requests to police authorities, especially for additions to their forces and for increases in their pay. One question which has been central to the investigation was how far the change of their supervising bodies in 1888 was a watershed in the history of the county police, whether it led to a contraction of the chief constable's power and influence. The stages of this development in local government were analysed by focusing particularly on the role of party politics in the process and by questioning whether this element presaged future problems for the administration of chief constables under the SJC's. Following on from this, archives were searched for evidence of the effects of the political affiliation of members of the first SJC's on the autonomy of the four current Chief Constables, for any indications of the ways in which they were undermined and on the existence of attempts to bring them completely under an SJC's control. Since this study was largely chronological, it was relevant to ascertain how increasing responsibilities for the police in the latter decades of the nineteenth century would have affected the management of county constables. Therefore, particular scrutiny was given to their organisation of weights and measures inspections, an area of police work which became very contentious. A final issue to be addressed was the significance of the communication between chief constables and outside bodies, especially Her Majesty's Inspectorate of Constabulary (HMIC) and the Home Office. How far was their contact with HMIC an advantage, bearing in mind that the Inspectors could fight their corner with county police authorities? Furthermore, could HMIC affect the attitude of the Home Office towards chief constables in their reports and advice to the Home Secretary?

Historiography

The second part of this introductory chapter sets the chief constables' role in perspective via a consideration of the existing literature. It opens with two sections which explore the sources that are directly concerned with chief constables and their contacts, firstly in accounts of their appointment and background and then in a survey of their association with the magistracy. There

follows an account of the developing scenario of nineteenth-century policing within the changing balance of local and central government. This scene setting leads to the attention that was given to different aspects of the chief constable's role and includes references to individual post holders. The final two sections of the literature review concentrate on the power and status of county chief constables by considering the varying attitudes towards the doctrine of constabulary independence and the differences between the authority of county chief constables and borough police chiefs.

The selection, pedigree and social environment of County Chief Constables

Identification of nineteenth-century county chief constables is a straightforward procedure. In 1999, Martin Stallion and David Wall consolidated all the available information about police forces and their chief officers from 1829-2000 in one definitive publication.⁶ However, there are only two sources which provide particulars of their selection and appointment. Carolyn Steedman contributed to the subject when she discussed the rationale behind the selection of men for the post and gave evidence of contemporary opinion about the process.⁷ However, it was Wall again who provided the most comprehensive information on the topic in a second publication, where he produced extensive material relating to the appointment of many county and borough chief constables. The importance of Wall's study for this assessment of the power and influence of county chief constables lies in his overview of the changing nature of the role through the nineteenth and twentieth century, his statistical analyses of various aspects of chief constables' backgrounds and careers and his portraits of many of the individuals who held office.

He stated that there was no significant change through the remaining years of the nineteenth century in the prerequisites which had been laid down for applicants by the Home Office in 1839. There was no reference to educational qualifications and the stated requirements were only four in number: a maximum age of 45; good health; freedom from bankruptcy and exemplary conduct. However, other (often unstated) attributes were equally important in the opinion of those who were

⁶ M. Stallion and D. Wall, *The British Police Forces and Chief Officers 1829-2000* (Bramshill: Police History Society, 1999).

⁷ C. Steedman, *Policing the Victorian community The formation of English provincial police forces 1856-1880* (London: Routledge and Kegan Paul, 1984), pp. 47-49.

charged with the appointments.⁸ Outlining the agenda of the county police authorities in the selection process, Wall revealed these desirable 'attributes' and highlighted the role of the clerk to the county in initiating the series of events which led to appointments of county chief constables. This involved constructing an advertisement for the post, sifting the applications, and drawing up a long list of candidates. Furthermore, he knew what kind of person would be acceptable. Primarily, it was taken for granted that they would be 'well to do, and typically from upper-middle and upper classes'.⁹

Although it is clear from Wall's documentation of many county chiefs that the majority of those who were appointed from 1856 until well into the twentieth century came from a privileged background, their origins were more varied than has been claimed by some historians. One reason for this was the shifting composition of the nineteenth-century gentry that has been documented by numerous historians. The changing scene, which was largely due to the declining fortunes of the aristocracy and the rise of industrialists and businessmen, has been the subject of considerable research.¹⁰ In his analysis of the landed classes Francis Thompson commented on the typical characteristics of the gentry. While admitting that they 'came in a bewildering variety of shapes and sizes', he maintained that contemporaries recognised them as 'the untitled aristocracy', 'the mainstay of the hunting field' and 'the backbone of the resident magistracy'.¹¹ Thompson cited examples of businessmen who became gentrified by acquiring country estates and being gradually

⁸ D. Wall, *The Chief Constables of England and Wales 1836-1991 The socio-legal history of a criminal justice elite* (Aldershot: Ashgate/ Dartmouth, 1998), p. 89.

⁹ Wall, *Chief Constables*, p. 102.

¹⁰ See, for example the ways in which mobility disrupted urban and rural society and diminished aristocratic authority in R. Lawton, 'Mobility in British Cities', *The Geographical Journal*, Vol. 145, 2 (1979), pp. 206-224; D. Snowden, 'Migration in Rural Westmorland 1871-1881: the experience of the parishes of Shap and Orton', unpublished M.A. thesis, University of Lancaster, 2001; A. Coney, 'Mid-Nineteenth Century Ormskirk: disease, overcrowding and the Irish in a Lancashire market town', *Transactions of the Historic Society of Lancashire and Cheshire*, 139 (1989), pp. 83-112; For a focus on the effects of the Agricultural Depression on rural stability see R. Jefferies, *Hodge and his Masters* (London: 1880), in P. J. Perry, 'An Agricultural Journalist on the Great Depression', *The Journal of British Studies*, 9, 2 (1970), p. 138; A. Howkins, *Reshaping Rural England: A Social History 1850-1925* (London: Harper Collins Academic, 1991), particularly chp.4, and 5; D. Cannadine, *The Decline and Fall of the British Aristocracy* (Yale: Yale University Press, 1990), especially chp.3; For examples of changing urban elites see C. F. O'Neill, 'The Contest for Dominion: Political Conflict and the Decline of the Lowther Interest in Whitehaven, 1820-1900', *Northern History*, 18 (1982), pp.133-151; A. Russell, 'Local Elites and the Working-Class Response in the North-West, 1870-1895: Paternalism and Deference Reconsidered', *Northern History*, 23(1987), pp. 153-173; and R. Trainor, *Black Country Elites – the Exercise of Authority in an Industrialised Area 1830-1900* (Oxford: Clarendon Press, 1993).

¹¹ F. M. L. Thompson, *English Landed Society in the Nineteenth Century* (London: Routledge and Kegan Paul, 1963), p.9. For most of the nineteenth century the 'resident magistracy' were the most influential group as far as county chief constables were concerned because of their total, and later partial control of provincial policing.

assimilated into county society. He described how the gentry and aristocracy often rubbed shoulders amicably in their role as county magistrates.¹²

Various sources have suggested that the different uses of the terms 'gentleman' and 'gentlemanly' in nineteenth-century texts are unhelpful in understanding the social background of applicants for the post of chief constable. The category 'gentleman' in contemporary censuses merely denoted a person of independent means, but it is clear that in other contexts the word gave rise to a variety of connotations. An example of the confused thinking that was associated with the idea of a 'gentleman' was highlighted by Robert Buchanan in his study of the growth of the engineering profession, when he referred to conflicting views of gentlemanly conduct which sometimes contained 'elements of amateurism and even laxity'.¹³ For Samuel Smiles the word 'gentlemanly' had a different meaning. It had nothing to do with birth, but was associated with an acquired 'nature' which had been 'fashioned after the highest models'. Those who exhibited this 'nature' could have come 'alike from colleges, workshops and farmhouses, from the huts of poor men and the mansions of the rich'.¹⁴

Both Steedman and Wall researched the early careers of chief constables. By reference to biographical dictionaries and directories of elites, Steedman calculated the numbers of county chief constables with armed services experience in addition to those who had police experience in the Metropolitan and borough forces, and the Royal Irish Constabulary.¹⁵ Wall's evidence on the subject revealed that most of the county chief constables between 1857 and 1910 had served as army officers prior to their time in the police force. For example, in eight northern counties only three out of 28 chief constables did not have military experience during that period.¹⁶ This is unsurprising since it was very common for the sons of upper class families to become army officers. Peter Razzell's investigation into the social background of army officers revealed that the aristocracy and the landed gentry had continued to dominate the commissioned ranks until after the

¹² Thompson, *English Landed Society*, pp. 135-6.

¹³ R. A. Buchanan, 'Gentleman Engineers: The Making of a Profession', *Victorian Studies*, 24, 4 (1983) p. 409.

¹⁴ S. Smiles, *Self Help* (London: John Murray, 1859), p.4.

¹⁵ Steedman, *Policing*, p. 48.

¹⁶ Stallion and Wall, *British Police*, pp. 38-184.

turn of the century.¹⁷ The suitability of an army career for ‘a man of rank’ was mentioned by John Habbakuk in his survey of the occupations of younger sons: The opening was ‘congenial to the upbringing and natural talents of landed families, and, except in time of war, compatible with a social life’.¹⁸ Entry to an army career and other professions required patronage or financial resources. Prior to 1871, most army commissions had to be purchased. Prices ranged from £500 for an ensigncy in an infantry regiment to £1,260 for a cornetcy in the Life Guards.¹⁹ The only exception to this method of obtaining a commission operated for Artillery and Engineer officers who had to pass out from the Royal Military Academy at Woolwich. They could purchase neither a first commission nor a subsequent promotion.²⁰

Wall argued that this emphasis on a military background and the lack of a requirement for experience of policing or of any other profession, suggested that police authorities were more interested in ‘discipline and the maintenance of order, and also social background, rather than the detection and the prosecution of crime’.²¹ His argument was supported by his biographical accounts of chief constables’ careers.²² However, although there are many press accounts of parades and drill routines at annual inspections there was nothing else to suggest that a military character was adopted by the chief constables in this investigation. Steedman commented that other county chief constables did attempt to adopt a military character for their forces. For instance, she singled out Chief Constable McHardy of Essex whose ambition was to use his constabulary as part of a volunteer defensive force, which could operate along the south coast, if an invasion was threatened.²³

Another interesting product of Wall’s research was the detailed information that he accumulated about the system of patronage as it pertained to applications for chief constableships. He gave evidence of the necessity for aspiring county chief constables to solicit testimonials from influential figures, as was the case for applicants to important posts in other professions. An example of this

¹⁷ P. E. Razzell, ‘Social Origins of Officers in the Indian and British Home Army 1758-1962, *British Journal of Sociology*, 14, 3 (1963), pp. 253-256.

¹⁸ J. Habbakuk, *Marriage, Debts and the Estates System* (Oxford: Clarendon Press, 1994), p.112.

¹⁹ J. Bourne, *Patronage and Society in Nineteenth-Century England* (London: Edward Arnold, 1986), p. 91.

²⁰ E. Spiers, *The Army and Society 1815-1914* (New York: Longman, 1980), p. 11.

²¹ Wall, *Chief Constables*, pp. 239-240.

²² Wall, *Chief Constables*, pp. 113-117.

²³ Steedman, *Policing*, p. 22.

can be seen in the sources of the testimonials provided by the 20 applicants on the long list for the post of Chief Constable of Buckinghamshire in 1896. They included: two field marshals; 27 major generals; 35 lieutenant generals; three brigadier generals; 102 colonels; 35 lieutenant colonels; 15 majors and six captains. The aristocratic element comprised one Duke, two Marquises, seven Earls and ten Lords'.²⁴ Wall mentioned that it was difficult to ascertain when this kind of practice began to become less acceptable and more 'covert' but suggested that the change was probably linked with the growing professionalisation of the police.²⁵ In his account of the importance of patronage in the appointment process, Wall also traced the ways in which family links influenced the appointments of certain chief constables, identifying 'father/son dynasties' as well as wider family connections which may have played a part in the advancement of some individuals.²⁶

Wall also recognised that 'an admittedly crude, but nevertheless valuable, indicator' of their social standing in comparison with 'other contemporary elite groups' was their inclusion in the directories of elites.²⁷ He observed that information about chief constables was included in *Who's Who* or *Kelly's Handbook* either because of their social 'merits' or 'only in rare circumstances', because of their achievements. He also noted that towards the end of the century there were far more entries for county chief constables than previously. He believed that there were two reasons for this: increased popularity of elite directories and also the enhanced personal social status of the men who were appointed in the last three decades of the century.²⁸

By the end of the century some men from the lower ranks of the police were beginning to challenge the seeming impossibility of internal promotion to the position of county chief constable. Wall highlighted the significance of the *Police Review* and its editor John Kempster in developing the debate over internal appointments.²⁹ Through its pages, with his encouragement correspondents

²⁴ Wall, *Chief Constables*, pp. 102-103.

²⁵ Wall, *Chief Constables*, p. 141.

²⁶ Wall, *Chief Constables*, pp. 139-141.

²⁷ Wall, *Chief Constables*, p. 292.

²⁸ Wall, *Chief Constables*, p. 294.

²⁹ Wall, *Chief Constables*, pp. 130-139 see R. M. Morris 'Kempster, John (1836-1916)', *Oxford Dictionary of National Biography*, Oxford University Press, Sept 2010 [<http://www.oxforddnb.com/view/article/97912>, accessed 19 Nov 2012] He was the founder and editor of *The Police Review*, as well as championing equal opportunities, established a form of representation for the police who were prohibited from belonging to a union, with The Police and Citizens Association. He also campaigned for the policeman's right to vote in General Elections and for a weekly rest day.

repeatedly advocated a system of equality of opportunity.³⁰ Wall recounted how Kempster introduced an essay competition in which entrants were to express their views about the appointment of chief constables. Their brief was to discuss ‘the advantages of appointing gentlemen of long practical police service and experience to the Chief Constableships of the United Kingdom’.³¹ The winner, writing under the pen name of ‘Veritas’ argued cogently that those who had had policing experience prior to their appointment were much better equipped for the position. Among the advantages that he identified in internal appointments was the ‘sympathy’ that would be exercised by a chief constable who understood the ‘difficulties and temptations’ experienced by his force. Furthermore, he argued that existing policemen would have wide ‘knowledge of the criminal classes, their habits and *modus operandi*’.³²

Magistrates and their connections with County Chief Constables

To fully appreciate the position of the county chief constables, it is necessary to clarify the composition and status of the magistracy with whom they had close contact for much of the nineteenth century. The relationship between the two groups was significant because they had contacts on two levels. In the first place, as has been previously mentioned, Quarter Sessions had total supervision of the county police until 1888 and partial oversight thereafter. In addition, there is no question that most chief constables would have mixed in the same social *milieu* as the county magistrates. Wall and David Philips remarked that since Quarter Sessions tended to appoint chief constables who were of the same background as themselves, family status was an important factor in the selection process.³³ David Philips also described magistrates as an unelected group, who were portrayed by their critics as ‘gentlemanly amateurs [...] unpaid and untrained for the serious function which they had to undertake’. Nevertheless, he added that many developed a professional approach to their responsibilities in their parishes and on the Quarter Sessions bench.³⁴ This view was supported by a contributor to *Justice of the Peace* who observed that those magistrates whose

³⁰ Wall, *Chief Constables*, p. 132.

³¹ *Police Review*, 1897, p. 451, quoted in Wall, *Chief Constables*, p. 132.

³² *Police Review*, 1897, p. 452, quoted in Wall, *Chief Constables*, p. 133.

³³ Wall, *Chief Constables*, p. 91, D. Philips, *Crime and Authority in Victorian England: the Black Country 1835-1860* (London: Croom Helm, 1977), p. 64.

³⁴ D. Philips, ‘A “Weak” State? The English State, the Magistracy and the Reform of Policing in the 1830s’, *English Historical Review*, 119, 483 (2004), p. 883

families had been accepted more recently into the ranks of the gentry were particularly committed and effective.³⁵

In his analysis of the composition of the magistracy, Carl Zangerl demonstrated that in 1842, 77.1 per cent of the county magistrates were from the group that he labelled the 'squirearchy', whereas only 8.4 per cent were from the aristocracy.³⁶ To some extent, this could have been expected since there would have been fewer large landowners than gentry with more moderate land holdings.

However, according to David Eastwood who in his detailed account of the development of local government between 1780 and 1840 described their judicial and administrative roles, there was also a belief that the gentry were better equipped to be magistrates, that there were 'certain social values and ideological assumptions which sharply differentiated the gentleman magistrate from the aristocratic elite'.³⁷ Although Eastwood did not elaborate on the reasons for this 'belief', it could be assumed that it stemmed from a sense that gentry magistrates were likely to have greater affinity with the type of people who would come before them in the courts, who he described as 'the poor, vagrants, criminals, parish officers, which enabled them to observe society in 'all its kaleidoscopic complexity'.³⁸ Magistrates' links with such a diverse assortment of people would inevitably have brought them into contact with the police and the chief constable, a mutually useful association through which information about local criminals would have been shared.

Clerical magistrates whose numbers remained stable until the 1860s, according to Maureen Scollan's calculations in her study of nineteenth-century parish and police constables in Essex, were even more likely to have dealings with the police.³⁹ At times the force would be summoned to deal with outbreaks of violent behaviour directed towards clergy and particularly towards clerical JPs.⁴⁰ One example of this kind of hostility was recorded in a Westmorland Occurrence Book of 1884, when the Vicar of Warcop, after experiencing abuse from village youths sent a telegram to

³⁵ T. Skyrme, *History of the Justices of the Peace* (Chichester: Barry Rose and the Justice of the Peace, 1888), p. 37.

³⁶ C. Zangerl, 'The Social Composition of the County Magistracy in England and Wales, 1831-1887', *Journal of British Studies*, XI (1971), p. 115.

³⁷ D. Eastwood, *Governing Rural England, Tradition and Transformation in Rural England 1780-1840* (Oxford: Clarendon Press, 1994), p. 79.

³⁸ Eastwood, *Governing*, p. 76.

³⁹ M. Scollan, 'Parish Constables Versus Police Constables: Policing Early Nineteenth-Century Essex', unpublished Ph.D. thesis, The Open University, 2007, p. 56.

⁴⁰ E. Evans, 'Some Reasons for the growth of English Rural Anti-Clericalism c. 1750-c.1830', *Past and Present*, 66 (1976), p. 104.

Chief Constable Dunne asking for police protection. He had heard that effigies of himself and his manservant were to be paraded around the locality on a horse, before being put on a bonfire and burnt.⁴¹ Since clergy and chief constable probably moved in the same social circles, it would have been natural for the vicar to apply directly to the Chief Constable rather than to seek help from the local police. Zangerl commented that it was not unusual for clerical justices to use their position as an opportunity for 'policing public behaviour and dealing with those who transgressed legal and cultural boundaries'.⁴² This is not surprising considering that many of them came from a privileged background where the ordering and disciplining of servants would have been commonplace. It also offers an explanation of local antagonism towards the clergy.

When middle class men were gradually accepted onto the county benches, the close ties between chief constables and county justices began to diminish. Initially this happened in the more industrialised regions of the country. Philips traced the changes in the Black Country, where 30.6 per cent of the appointees in the period 1836-1848 were iron and coal masters, although there had been none before 1836. Even more significantly, by 1853, they comprised 50 per cent of the magistracy.⁴³ However, as Chris Williams pointed out, the change came slightly later in Sheffield, where the first industrialists were not appointed to the bench until 1844, when the town was incorporated.⁴⁴ Moreover, Helen Johnston stated that although Shropshire was adjacent to the Black Country, its bench was almost completely comprised of landed gentry until the turn of the century.⁴⁵ In his account of how the administration of rural Cheshire developed after 1888, John Lee provided other evidence of increasing diversity on county councils and SJs. He submitted that 'the era of the public person displaced that of the social leader', owing to the huge increase of duties in local government which required professional expertise. Inevitably, this resulted in a

⁴¹ Kendal Record Office (K.R.O.), WS/CONS/4/1, Kirkby Stephen Occurrence Book 1884, 6th November 1884.

⁴² Eastwood, *Governing*, pp. 80-82.

⁴³ D. Philips, 'The Black Country Magistracy 1835-60 A Changing Elite and the Exercise of its Power', *Midland History*, 5 (1976), p. 166.

⁴⁴ C. Williams, 'Police and Crime in Sheffield, 1818-1874', unpublished Ph.D. thesis, Sheffield University, 1998, pp. 88-89.

⁴⁵ H. Johnston, 'The Shropshire Magistracy and Local Imprisonment: Networks of Power in the Nineteenth Century', *Midland History*, XXX, (2005), p. 76.

further gradual loosening of the ties with county society and led to a less homogenous magistracy being involved in police governance.⁴⁶

It will be demonstrated later in the chapter, there had been some reservations on the part of Quarter Sessions about the appointment of the early chief constables. Nevertheless, the above account of the changing nature of the magistracy gives some idea of how their relationship with county chief constables developed from the creation of the post in 1839. Despite the ambiguous wording of the 1839 County Police Act, the chief constable's responsibilities were clearly defined and both parties benefited from the arrangement since they were part of the same judicial process in which the police tracked down and apprehended the wrongdoers who were subsequently disciplined by magistrates. The lengthy incumbencies of some of the first office holders cemented their relationship with the justices. The fact that the Lord Lieutenant of Cumberland appointed Chief Constable Dunne to the magistracy on his retirement, when he was over 80, after 46 years in office was the sequel to his long and usually amicable association with Quarter Sessions.⁴⁷

The county police within the context of local and central government

In order to understand the perennial problems with which chief constables had to grapple, particularly in relation to cost and local control, it is necessary to be aware of the workings of criminal justice within the counties. Eastwood remarked on the pragmatism of the law and order procedures in rural parishes of the 1830s. He argued that the proliferation and variety of policing methods in those years resulted from a 'compromise between order and security on the one hand and economy on the other'. Although Eastwood recognised that the workings of the law continued to defend the interests of the property-owning elites, he also noted that by the 1830s most prosecutions were being brought by people of lower status for minor offences.⁴⁸ According to Peter King, in spite of this widespread use of the courts, the labouring class were still deeply sceptical about the workings of the law. He drew upon 'the few fragments' of surviving 'plebeian writing' for examples of their disillusionment. In particular, he quoted John Clare's strong feelings about

⁴⁶ J.M. Lee, *Social Leaders and Public Persons A Study of County Government in Cheshire since 1888* (Oxford: Clarendon Press, 1963), p. 45.

⁴⁷ *Manchester Guardian*, 18th June 1902, p. 10.

⁴⁸ Eastwood, *Governing*, pp. 203-204.

the injustice of a system which allowed 'wealthy thieves' to 'plunder their millions' whereas 'the poor sinning starving clown' suffered 'jail and hanging'.⁴⁹

Eastwood pointed out that in spite of the increasing number of crimes which had led to repeated calls for stronger policing only seven counties had immediately implemented the 1839 County Police Act.⁵⁰ However, although he considered that by 1850 the piecemeal reforms that had been put in place by county magistrates in the interim had resulted in a considerable diminution of local government, with its 'participatory traditions', he did not view this change as 'immediate' or 'unilinear'.⁵¹ He attributed the reluctance of magistrates to take advantage of the 1839 Act to a perception that their local status would be under threat by a creeping form of centralisation as authority was transferred to the county.⁵² Steedman also drew attention to justices' fears about the concentration of power at county level. She stated that they were concerned about 'the removal of autonomy [...] from individual justices to that body of magistrates easily swayed by the lord lieutenant and the larger landowners'. She added that some of them were concerned about the prospect of stipendiary magistrates.⁵³ However she pointed out that despite these misgivings, local justices retained their autonomy for longer than they had feared because of the increasing number of offences that were dealt with summarily.⁵⁴ Moreover, in his study of the outworking of the 1834 Poor Law Amendment Act, Anthony Brundage took issue with those who had seen that measure as a move towards centralisation by the government. He maintained that during subsequent years it had had the opposite effect, by enhancing the power of the large local landowners on the Boards of Guardians and increasing the influence of the magistracy who became *ex officio* members.⁵⁵

⁴⁹ J. Clare, *The Parish*, p.64 quoted in P. King, *Crime, Justice and Discretion in England 1740-1820* (Oxford: Oxford University Press, 2000), p. 366.

⁵⁰ Despite the small take up it is worth noting that the majority of the 36 responses from Quarter Sessions of England and Wales to a circular letter about the proposed Bill were more positive than might be supposed. However, some stated their opposition to any scheme which would deprive the magistrates of authority.

⁵¹ Eastwood, *Governing*, p. 261.

⁵² Eastwood, *Governing*, p. 233.

⁵³ Steedman, *Policing* p. 19.

⁵⁴ Steedman, *Policing*, p. 19.

⁵⁵ A. Brundage, 'The Landed Interest and the New Poor Law', *English Historical Review*, 87, 342, (1972), p. 28.

The gradual move towards centralization was to have considerable implications for the control of provincial policing by local magistrates and county chief constables but as has been shown, interpretations of the nature, extent and timing of the process have differed. Philips and Storch added to the discussion in their masterly account of the politics of provincial policing reform before 1856. They gave an account of how the two ruling elites, the 'Provincial Ruling Class' and the 'National Ruling Class' had worked together to produce the 1839 legislation. In their detailed survey of Quarter Sessions' reactions to the Act, they demonstrated that although ratepayers' concerns were usually a determining factor in the implementation or rejection of the statute, magistrates were also influenced by a variety of local situations.⁵⁶ Philips and Storch also observed that in the counties which had adopted the Act, the magistrates sometimes felt threatened by a newly appointed chief constable who could appear 'a mysterious and ominous figure'.⁵⁷ On the other hand, they also noted that when the Select Committee on Police was taking evidence in 1853, attitudes had started to change and some Quarter Sessions were advocating freedom of action for chief constables. *Justice of the Peace* which was satisfied with the 'increased security' which had resulted from the 1839 statute and approving of the 1856 measure because it avoided a move towards 'centralisation', supported the record of the magistracy.⁵⁸

It is clear that during the 1830s and 1840s, rural magistrates had experienced differing levels of anxiety about their future. From the reaction of some magistrates to the 1839 Act, it appears that their voting power on Boards of Guardians which Brundage highlighted as a by-product of the New Poor Law was not always sufficient to stave off a sense of impending doom. Nevertheless in 1856, those who had become accustomed to the protection offered by locally based police without any noticeable diminution in their status were ready to see the system extended. Furthermore, most Quarter Sessions who had previously refused to implement the 1839 measure were now more favourably disposed towards the creation of a county police force and the delegation of some authority for the maintenance of law and order to a chief constable.

⁵⁶ Steedman, *Policing*, p. 19.

⁵⁷ D. Philips and R. Storch, *Policing Provincial England 1829-1856 The Politics of Reform* (London and New York: Leicester University Press, 1999), p. 151.

⁵⁸ T. Skyrme, *History of the Justices of the Peace*, 1856, p. 81.

Studies which directly addressed the changing balance of local and central government in the nineteenth century are particularly relevant to the discussion of the effects of such changes on policing. Pat Thane described the methods used by Victorian central government in its relations with its citizens as 'indirect' and 'discreet'.⁵⁹ She contended that there was a powerful 'devotion to local autonomy' against interference from the central state in the conduct of affairs which were considered to be the prerogative of local officials. Furthermore, in the countrywide development of different areas of social policy, she even identified some expansion of local government.

Nevertheless, she did admit that its extent varied from place to place, and was often dependent on the 'vision' and 'energy' of the population of individual localities.⁶⁰ She also noted that although opposition to a national police force was still widespread, assistance from central government was often sought on other issues, for example public health.⁶¹

In this regard, Royston Lambert's survey of the work of the Local Government Office which was established in 1858 after the overthrow of Chadwick's Board of Health, described how a measure that was intended to be decentralising turned into the exact opposite.⁶² In fact, the compulsory powers of the old Board of Health which had now been swept away had hardly ever been used, and under the new system there were far more opportunities for the Home Secretary to intervene than many MPs realised.⁶³ While not denying that new central bodies were created and central-local relations considerably altered, Miles Ogborn maintained that it was simplistic to generalise about the 'reconfiguration' of the relationships between central and local government. He argued that 'more power at the centre' did not necessarily result in 'less at the local state level', and that the balance of authority differed from one 'domain of social power' to another.⁶⁴ Ogborn regarded the

⁵⁹ P. Thane, 'Government and Society in England and Wales 1750-1914' in F. M. L. Thompson, ed., *The Cambridge Social History of Britain 1750-1950 Volume 3 social agencies and institutions* (Cambridge: Cambridge University Press, 1990), p.1.

⁶⁰ Thane, 'Government', p. 33.

⁶¹ Thane, 'Government', p. 34.

⁶² R. Lambert, 'Central and Local Relations in Mid-Victorian England: the Local Government Office, 1858-71', *Victorian Studies*, 6, 2 (1962), p. 122.

⁶³ Lambert, 'Central and Local Relations', p. 124.

⁶⁴ M. Ogborn, 'Local power and state regulation in nineteenth-century Britain', *Transactions of the Institute of British Geographers*, New Series, 17, 2 (1992), p. 216.

1856 Police Act, as a product of 'conflict and compromise' which provided new powers for the central state, but also guaranteed 'significant elements of local autonomy' for the local state.⁶⁵

The reluctance of the mid-Victorian Home Office to expand central government control was highlighted in David Smith's account of Sir George Grey's handling of the 1854 and 1856 Borough and County Police Bills.⁶⁶ Although there is no question that Grey advocated direct government intervention when public order and stability were under threat, Smith provided evidence of Grey's belief that local government could provide law and order 'without the intrusion of central government'.⁶⁷ He submitted that the 'politicians and administrators' of the period did not hold dogmatic views about the desirability of central government. On the contrary, 'they might easily support one step towards government interference on occasion and reverse judgement on another with equal vehemence'.⁶⁸ He reiterated Jenifer Hart's view that from 1839 to 1856 the Home Office had avoided any 'long term systematic action' in borough or county policing, sometimes leaving forces 'at a low level of efficiency'.⁶⁹ Smith stated that the 1856 County and Borough Police Act 'extended rather than altered the principles' laid down in the 1839 measure.⁷⁰ He added that in the following decade county chief constables and magistrates were largely left to their own devices, communication between the Home Office and county police being mostly confined to queries and responses concerning the operation of the new Act.

A logical presumption would be that the Home Office exerted a much closer supervision over the leadership of the Metropolitan Police since the two organisations were so closely linked. However, Robert Morris's findings indicated the contrary. Although the Home Secretary had 'legally extensive controlling powers in relation to the force', Morris stated that he possessed no 'commensurate and continuous capacity for exercising those powers'.⁷¹ He maintained that policing functions developed 'spontaneously' with 'little government direction or leadership', and

⁶⁵ Ogborn, 'Local Power', p. 221.

⁶⁶ D. Smith, 'Sir George Grey at the Mid-Victorian Home Office', *Canadian Journal of History*, 19, 3 (1984).

⁶⁷ Smith, 'Sir George Grey', p. 367.

⁶⁸ Smith, 'Sir George Grey', p. 361.

⁶⁹ J. M. Hart, 'The Reform of the Borough Police, 1835-1856', *English Historical Review*, LXX (1955), p.417

⁷⁰ Smith, 'Sir George Grey', p. 368.

⁷¹ R. M. Morris, 'The Metropolitan Police and Government', Unpublished Ph.D. Thesis, Open University, 2004, p. 1.

on the whole intervention occurred only in time of crisis.⁷² Morris highlighted a significant factor in the discussion about Home Office involvement when he pointed out that the ‘human resources’ of the Home Office were ‘modest both in number and often in ability’. He stated that in 1870 there were ‘at the most 12 officials’ to deal with their responsibilities for the Metropolitan and provincial police as well as ‘the entirety of its responsibilities for the criminal justice system’.⁷³

In his account of the workings of the Victorian Home Office, Henry Parris supported this position, stating that requests for direction were often met with indifference or even a flat refusal to get involved.⁷⁴ Moreover, Chris Williams claimed that the system of nineteenth-century borough policing where forces were controlled by local and democratically elected Watch Committees survived partly because successive Home Secretaries were reluctant to take control over borough forces.⁷⁵ However, Steedman took a slightly different standpoint. Referring to the large amount of ‘routine administrative contact’ that the Home Office had with local police forces, she contended that it was not as uninvolved in provincial policing as had been suggested. A particular point of contact that she identified was the advice that Home Office staff gave on constitutional questions regarding the ‘policeman’s accountability at law’.⁷⁶ Nevertheless, the ‘advice’ did not have to be followed, and decision making remained the responsibility of the local police authority.

Whereas historians have researched numerous contacts between borough police and the Home Office in the latter years of the nineteenth century, they have paid less attention to those between county police authorities and the Home Office. There may be two reasons for this. Firstly, many studies have focused on law and order, the incidence of crime and the associated consequences for police forces, topics that have been chronicled fully in borough archives and less so in county records. Exceptions to this trend are to be found in counties like Lancashire and West Riding where responsibility for the problems associated with rapid growth of population impacted on both types of constabulary. Secondly, the Home Office conducted more correspondence with Watch

⁷² Morris, ‘Police and Government’, pp. 311-312.

⁷³ Morris, ‘Police and Government’, p. 5.

⁷⁴ H. Parris, ‘The Home Office’, *The Home Office and the Provincial Police in England and Wales 1856-1870*, *Public Law* (Autumn 1961), pp. 230-255, p. 236.

⁷⁵ C. Williams, ‘Britain’s Police Forces Forever Removed from Democratic Control’, *History and Policy* (2003), p. 1.

⁷⁶ Steedman, *Policing*, p. 28.

Committees than it did with county police authorities. In the expanding boroughs communication increased substantially when clarification on a variety of subjects began to be sought. In contrast, the longstanding relationship between the county police and the magistracy negated the need for frequent contact with the Home Office. This situation changed to some extent after 1888 as the newly established Standing Joint Committees settled into their role as supervisors of the county police. However, the minutes of these committees which would record such contacts are hidden away alongside the proceedings of many other county council committees, if in fact they have even survived. Later in this study, further proof will help to confirm the view that although there was a move towards centralisation in police governance after 1856, the change continued at a gradual pace. Furthermore it will be shown that the process gained more impetus towards the turn of the century when it was largely driven by the necessity to maintain law and order.

The role of the County Chief Constable

In the late 1990s David Taylor was of the opinion that scant attention had been paid to the obstacles facing county chief constables: 'With one or two notable exceptions, little has been said about the problems facing the Victorian chief constable seeking to create an effective force'.⁷⁷ He also pointed out that it was impossible to generalise about the working practice of chief constables since the nature of their job would have depended on the situation in individual counties.⁷⁸ Undeniably, in many districts the position of the chief constable was complicated by the fact that for the better part of the century the new police forces were extremely unpopular among some social groups. Barbara Weinberger spoke of the hostile reception which greeted the new police from different sections of society in Warwickshire. She described how working class opposition, particularly from those in declining trades, unskilled workers, casual and unemployed labourers, was often directed against the police's efforts to curtail local customs and traditions. Furthermore, middle class antagonism was expressed in ratepayers' complaints about the cost of policing the county, or by

⁷⁷ D. Taylor, *The new police in nineteenth-century England crime, conflict and control* (Manchester: Manchester University Press, 1997), p. 6.

⁷⁸ Taylor, *New Police*, p. 4.

magistrates and others, whose concerns included the unprofessional behaviour of members of the force.⁷⁹

Robert Storch, who unearthed many incidents of the hostility encountered by the police in northern counties, stated that although a simmering resentment against the police continued, anti-police violence gradually became 'a typical component of the undercurrent of everyday Victorian life'.⁸⁰ In contrast, Weinberger found that in Warwickshire, at least, there was an upsurge in attacks against the police as late as 1870.⁸¹ Whereas much of the violence against the police stemmed from their attempts to curtail popular culture, Williams identified a different reason for the antagonism. In his study of the Sheffield Democrats' efforts to introduce their 'alternative' version of local government in 1850s, he claimed that it sprang from a 'general rejection of the legitimacy of the police *per se*' rather than any 'dislike of a specific police action'.⁸² Taylor argued that certain historians had overemphasised the social control role of the police, thus neglecting to give attention to their more pedestrian 'tidying up of law enforcement in the name of efficiency'.⁸³ He added that it was short-sighted to ignore the fact that there were important variations in the attitudes of the police themselves, with some chief constables adopting an 'unequivocal' stance towards immoral behaviour while others took 'a more pragmatic approach'.⁸⁴

There is general information about chief constables in the numerous police force histories. Jack Alderson's account of the development of the West Riding constabulary, in which he traced the changing character of policing in the county by examining the tenure of each chief constable, is typical of many publications. He combined biographical facts with information about some of the chief constables' achievements and examples of the plaudits that they received on retirement.⁸⁵ It would be invidious to categorise such historians as either 'professional' or 'amateur', since constabulary histories of merit have been produced by people with little or no academic

⁷⁹ B. Weinberger, 'The Police and the Public in Mid-Nineteenth Century Warwickshire' in V. Bailey ed. *Policing and Punishment in Nineteenth-Century Britain* (London: Croom Helm, 1981), pp. 73-76.

⁸⁰ R. Storch, 'The Plague of Blue Locusts. Police Reform and Popular Resistance in Northern England, 1840-1857', *International Review of Social History*, 20 (1975), p. 89.

⁸¹ Weinberger, 'Police and Public', p. 75.

⁸² C. Williams, 'The Sheffield Democrats' critique of criminal justice in the 1850s' in R. Colls and R. Rodger (eds.), *Cities of Ideas Civil Society and Urban Governance in Britain 1800-2000* (Aldershot: Ashgate Publishing Ltd., 2004), p. 99.

⁸³ Taylor, *New Police*, pp. 5-6.

⁸⁴ Taylor, *New Police*, p. 3.

⁸⁵ J. Alderson, *A History of the West Riding Constabulary* (The Police History Society, 2006).

background. Nevertheless it is true that historians have tended to stereotype chief constables either as heroic, larger than life men, who were constantly battling with problems or as odd characters, who did not conform to an image of policing that was acceptable to the writer. Moreover, the style, content and depth of such studies do vary considerably.

For example, it is interesting to compare Douglas Elliott's history of Shropshire County Constabulary with David Philips' analysis of crime and policing in the Black Country which is concerned with the development of the Staffordshire county force, especially since part of Philips' area of study is adjacent to the border with Shropshire. Both documented an evolving police force and the way in which it tackled crime (albeit a much larger problem in the Black Country than in Shropshire). Elliott produced a detailed and well researched narrative in which he charted the progress of the force and the tenure of successive chief constables. He also made reference to wider developments in policing and changing society.⁸⁶ However, Philips' investigation covered a shorter period of time and he approached the topic in more depth and in a less anecdotal style. He compared the attitudes of various historians to crime statistics, identified the numbers and types of crimes that had been committed in the region and revealed the outcomes of legal action against the offenders. He also traced the establishment of the Staffordshire police over several decades, by analysing patterns of recruitment, retention, migration and former occupation and by assessing the record of individual chief constables.⁸⁷ In another comprehensive study of policing in nineteenth-century Gloucestershire, R.C. Jerrard provided a full and informative account of the long incumbency of the Chief Constable, Henry Christian, and documented the association between the police authority and the county council.⁸⁸

Histories of county constabularies provide a partial impression of the problems encountered by chief constables, but little has been written about the daily routine of the earliest chief constables. Therefore, C. E. Turner's edited extracts of the 1842-3 journal of Captain Meredith of the Wiltshire Constabulary which have been assembled in an interesting article, are particularly interesting. They portray a 'very hard working and energetic' man who often travelled up to 50 miles a day to visit

⁸⁶ D. Elliott, *Policing Shropshire 1836-1967* (Studley: K.A.F. Brewin Books, 1984).

⁸⁷ Philips, *Crime and Authority*

⁸⁸ R. C. Jerrard, 'The Police in the Nineteenth Century' unpublished M. Litt. dissertation, Bristol University, 1977

the outposts of his small force.⁸⁹ It was common for him to leave home early in the morning and not to return until 11 or 12pm. Since he had no administrative staff, he was responsible for all correspondence and accounts.⁹⁰ In his account of the development of the Hampshire and Isle of Wight force Ian Watts described the difficulty of creating stability in its early years as 'this impression of uncertainty, of restlessness, of the authorities struggling desperately to make an efficient force out of not altogether satisfactory material'.⁹¹

Although rates of retention gradually improved across the country, William Lowe's analysis of the length of service of members of the Lancashire constabulary in the years 1845-70 revealed that for some chief constables the consolidation of their forces took longer to achieve.⁹² Several historians researched the reasons for the rapid turnover in early police forces and traced the development of more stability. For example, Haia Shpayer-Makov in her investigation into the background, working conditions and retention rate of the Metropolitan Police, identified the most common reasons in the Metropolitan Police between 1860 and 1920 as dissatisfaction with police life which often led to insubordination, demotion, dismissal and resignation because other employment offered better prospects.⁹³ However, she also noted that stability in the force took longer to achieve than in many other constabularies.⁹⁴

Strong efficient chief constables 'dictated the flavour' of a county force, as David Jones showed in his sympathetic portrait of Frederick Goodyer who was chief constable of Leicestershire for a good part of the century. Jones maintained that in his roles of 'operational commander, personnel officer, and administrator/diplomat for the force', Goodyer was responsible for establishing the Leicestershire force through 'integration rather than confrontation'.⁹⁵ In contrast to the impression that was given of Chief Constable Goodyer, Captain Forrest, the chief constable of Hampshire and

⁸⁹ C. E. Turner, 'A Chief Constable's Diary', *Police Journal* (1961), p. 396.

⁹⁰ Turner, 'Diary', p. 399.

⁹¹ I. Watts, *A History of the Hants and Isle of Wight Constabulary 1839-1966* (Hants and Isle of Wight Constabulary, 1967), p. 10.

⁹² W. J. Lowe, 'The Lancashire Constabulary, 1845-1870: The Social and Occupational Function of a Victorian Police Force', *Criminal Justice History*, IV (1983), p. 55.

⁹³ H. Shayer-Makov, 'The Making of a Police Labour Force', *Journal of Social History*, 24, 1 (1990).

⁹⁴ Shayer-Makov, 'Police Labour Force', p. 110.

⁹⁵ D. Jones, 'The History and Structure of Leicestershire County Constabulary 1839-1890', unpublished M. Phil. Thesis, Loughborough University of Technology, 1992, p. 48.

the Isle of Wight was portrayed by Watts as a strict disciplinarian who had a 'lofty conception of his duties'. This led him 'to assume a wide scope for his authority'.⁹⁶

These sources gave glimpses of the day to day activities of individual police leaders but only slight evidence of how effectively they directed their forces in front line operations, particularly in the control of crime. In his study of the Bedfordshire police from 1842-1856, Clive Emsley maintained that it was impossible to ascertain how far crime was actually prevented by the new constabulary and its chief constable, since a number of different circumstances could be responsible for a rise or fall in recorded offences. He accepted that there might have been some truth in the local newspaper's assertion that it had actually increased due to a lack of employment in the county. Alternatively, he suggested that more crimes might have been reported because victims felt that they would be followed up by the new police. He argued that yet another cause for inflated figures could have been a spate of 'case-making' by the police themselves.⁹⁷ Timothy Shakesheff's Herefordshire sources gave him a more detailed picture of the level of crime in the county, and led him to maintain that it was comparable with that of the manufacturing districts.⁹⁸ Indeed it became necessary to appoint small forces in some districts to combat the rising number of offences before the county police was established in 1856. Through his detailed analysis of the statistics of a range of rural offences, Shakesheff was able to make a strong case for unemployment and poverty being responsible for the problems. The evidence gathered by Emsley and Shakesheff suggests that a competent chief constable at the head of an efficient force was only one factor in a complex scenario of rising and falling crime figures.

In some counties the police were responsible for the control of frequent and wide-scale outbreaks of disorder. Lowe recorded how Chief Constable Woodford had reminded his new recruits that joining the constabulary had put them in a 'totally new position' as 'members of the establishment' and 'Peace Officers'.⁹⁹ Certainly the history of Lancashire policing reveals many occasions when the force was involved in the suppression of violence. One of the most difficult situations was the

⁹⁶ Watts, 'Hants Constabulary', p. 41.

⁹⁷ C. Emsley, 'The Bedfordshire Police 1840-1856: A case study in the working of the Rural Constabulary Act', *Midland History*, 7 (1982), pp. 78-81.

⁹⁸ T. Shakesheff, *Rural Conflict, Crime and Protest Herefordshire 1800-1860* (Woodbridge: Boydell Press, 2003).

⁹⁹ Lowe, 'Lancashire Constabulary', p. 43.

nine week strike in 1878 over wage reductions in the cotton industry, when there were disturbances in every major centre of production and large crowds collected with the sole purpose of attacking the police.¹⁰⁰

Steedman noted the changing attitudes of chief constables towards the extra demands that were made of their forces, as developments in local administration resulted in a multiplicity of new 'public service' roles for the police.¹⁰¹ Nevertheless, her remark that giving magistrates the power 'to oblige the police to perform other work' than peacekeeping, was breaking 'new administrative ground' overstated the case. Well before 1856 there had been many examples of police forces being ordered to perform a variety of other tasks which had often been delegated by statute.¹⁰² For instance, according to Michael Winstanley, the police's responsibility to the ratepayers of Oldham 'charged them with a multiplicity of duties related to public health, safety and order.'¹⁰³ Steedman differentiated between those jobs that could assist the identification and apprehension of criminals and those which were of little benefit to their primary responsibility. Watts described how Captain Forrest of Hampshire was worried that the county might lose its government subvention, if the administrative jobs that they were required to perform by the local authority were not sanctioned by the Home Office.¹⁰⁴ Emsley remarked that as the amount of local administration devolved on the police expanded, there was an increasing tendency for central government directives which were not related to the dispensation of justice to be sent directly to the police, thus bypassing local police authorities.¹⁰⁵ This thesis will show that as the county councils became involved in the supervision of the county forces, chief constables became increasingly involved in tussles with them about the proper sphere of policing.

The power and influence of County Chief Constables

In discussions about the power of nineteenth-century county chief constables, historians and social scientists have sometimes made reference to the theory of constabulary independence, a concept

¹⁰⁰ J. E. King, "'We Could Eat the Police!'" Popular Violence in the North Lancashire Cotton Strike 1878', *Victorian Studies*, 28, 3 (1985).

¹⁰¹ Steedman, *Policing*, pp. 53-55.

¹⁰² Steedman, *Policing*, p. 53.

¹⁰³ M. Winstanley, 'Preventative policing in Oldham c. 1626-1856', *Lancashire and Cheshire Antiquarian Society Transactions* (1990), pp. 17-35.

¹⁰⁴ Watts, *History*, pp. 22-23.

¹⁰⁵ C. Emsley, *The English Police* (Harlow: Addison Wesley Longman Limited, 1996), p.93.

which is associated with the common law origin of the constable's office. The topic has been resurrected on numerous occasions when the function and control of the police have been in question. Geoffrey Marshall argued that the independent status accorded to the constable did not result in a freedom from control for those in the county and borough police since their position as members of a police force inevitably subjected them to direction, supervision and restrictions.¹⁰⁶ Lawrence Lustgarten argued that ironically the nineteenth-century statutes which had established and developed the new police were to some extent instrumental in lessening the relevance of constabulary independence. He pointed out that as the constable was given increasing statutory power and responsibility, he became a public official. He was no longer merely 'a sort of delegate of the community' exercising 'common law powers only'.¹⁰⁷

Although the above arguments related to the way in which the concept of constabulary independence pertained to the position of the police in general, views have also been expressed about how acceptance of the doctrine affected the autonomy of the chief constable in particular. There have been differing assessments of its significance as the role of the county chief constable developed during the nineteenth and twentieth century. In his study of how changing circumstances affected the common law position of police constables John Houghton evaluated the continuity of the model as it adapted to the balance of local and central government authority and considered that the gradually emerging role and influence of the county chief constable was an important factor in this process.¹⁰⁸

Others have commented on how the doctrine impacted on relationships between chief constables and their police authorities in the nineteenth century. Tony Jefferson and Roger Grimshaw argued that as policing developed in the nineteenth century (through a succession of statutes which introduced elements of bureaucracy, democracy and centralisation), the independence of chief constables survived in a robust state.¹⁰⁹ In particular, they believed that the tussles for authority which arose between borough chief officers and watch committees in the latter years of the

¹⁰⁶ G. Marshall, *Police and Government* (London: Methuen: 1965), p. 28.

¹⁰⁷ L. Lustgarten, *The Governance of the Police* (London: Sweet and Maxwell, 1986), p. 25.

¹⁰⁸ J. Houghton, 'Policing and Local Government in England', unpublished Ph.D. thesis, The Manchester Metropolitan University 2001.

¹⁰⁹ T. Jefferson and R. Grimshaw, *Controlling the Constable* (London: Frederick Muller, 1984), p. 34.

nineteenth century did not undermine their 'independent power of law enforcement'.¹¹⁰ Michael Brogden attributed the 'opaque' nature of the connection between the police institution and the central and local states in part to these common-law origins.¹¹¹ In his exploration of the relationship between police chiefs and the local state he maintained that chief constables in Liverpool had amassed a considerable amount of authority by the end of the century, despite the fact that they were at times compelled to act as an arm of the dominant merchant class.¹¹² Reiner commented that in this assessment Brogden had mounted a challenge to 'the weight of both orthodox and radical received opinion'.¹¹³

Although this investigation into the authority of county chief constables is based in the nineteenth century, there is continuity with the twentieth-century situation in the sense that the boundaries of chief constables' responsibility were never precisely defined in either period. While recognising the status of the constable as the most important aspect of the police's constitutional position, Lustgarten contended that the continued reference to this unique aspect of policing was detrimental to a rational discussion of the role of contemporary policing.¹¹⁴ It should be noted that for Lustgarten 'contemporary' meant the 1980s when the operational independence of chief constables had been upheld in a series of situations where the role of the police had been censured. For Lustgarten and others, the inclusion of constabulary independence as a factor in the consideration of chief constables' accountability was an unnecessary red herring.¹¹⁵ Robert Reiner argued that the 'rhetoric' of the line of reasoning which gave a 'legitimacy' to the office of a constable, because he was 'on a par' with the 'ordinary citizen', conferred an 'almost divine status' on chief constables.¹¹⁶ He stated that the 'starting-point and original motive' for his own research into the position of the chief constable was the 'dominant belief' that twentieth century chief constables were 'the autonomous and powerful prime movers of policing policy'.¹¹⁷ He concluded that even though they were 'indeed powerful and significant' they were less 'autonomous and independent' than had been

¹¹⁰ Jefferson and Grimshaw, *Controlling*, p. 41

¹¹¹ M. Brogden, *The Police: Autonomy and Consent* (London: Academic Press, 1982), p. 1.

¹¹² M. Brogden, *The Police*, pp. 69-70.

¹¹³ R. Reiner, *The Politics of the Police* (Oxford: Oxford University Press, 2000), p.32.

¹¹⁴ Lustgarten, *Governance*, p. 28.

¹¹⁵ E. Hewitt, 'Operational Independence – Myth or Reality?' *Police Journal*, 64, 4 (1991), p. 321.

¹¹⁶ R. Reiner, *Chief Constables, Bobbies, Bosses or Bureaucrats?* (Oxford: Oxford University Press, 1991), p. 9.

¹¹⁷ Reiner, *Chief Constables*, p. 8.

claimed.¹¹⁸ In the discussions about constabulary independence there has been little acknowledgement of the difficult relationships that some county chief constables experienced with their local police authorities in the latter years of the nineteenth century. It will be demonstrated in this study that when the autonomy of county police chiefs was challenged during that period, reference was sometimes made to the historical position on the subject.

The authority of County Chief Constables and Borough Police Chiefs

Discussion of the relative authority of borough and county chief constables cannot be omitted in an investigation of the authority of county chief constables because such a comparison involves the issues of power and status, elements which are central to this study of county chief constables. In the literature the general consensus has been that the office of county chief constable carried much more power and influence than that of borough chief constable. Certainly their origins were usually different. The chief officers of the small and medium boroughs were mostly middle-class career policemen, although those who served in the few very large boroughs often came from the same kind of background as county chief constables.¹¹⁹ In his work on the British police, Thomas Critchley described the county chief constable as ‘the supreme commander of his force’ whereas he used very different terminology for the borough chief officer, categorising him (in the words of the Chief Constable of Norfolk) as ‘merely the superintending and executive officer of the Watch Committee’.¹²⁰ Steedman added that whereas a borough head constable was the senior officer of a group of men ‘appointed, directed and dismissed by a Watch Committee’, a county chief constable held the same powers as the Watch Committee.¹²¹ In his study of nineteenth and twentieth-century chief constables, David Wall also made the distinction between the two roles. He reiterated that when the 1835 Municipal Corporations Act transferred the control of the borough police from the magistracy to the Watch Committee, the office of the borough chief of police had no statutory basis. Initially the appointment that was made of a ‘trusted’ policeman to carry out the work that the Watch Committee had neither ‘the time’ nor ‘the expertise’ to perform was for convenience

¹¹⁸ Reiner, *Chief Constables*, p. 8.

¹¹⁹ Wall, *Chief Constables*, p. 117.

¹²⁰ T. Critchley, *A History of the police in England and Wales* (London: Constable and Company Ltd., 1978), p. 143.

¹²¹ Steedman, *Policing*, p. 27.

more than anything else.¹²² On the other hand, (as was stated at the beginning of the Chapter) for those counties which had chosen to establish a police force under the 1839 County Police Act or had been compelled to do so when the County and Borough Police Act was passed in 1856, the appointment of a county chief constable was mandatory.

Emsley also drew attention to the difference in status by referring to the fact that the county police authority would hardly ever give orders to the chief constable. Instead the police authority and the chief constable would jointly decide on policy.¹²³ Lustgarten associated the lighter supervision of county chief constables exercised before 1889 with the infrequent meetings of Quarter Sessions and the leisured land-owning lifestyle of the majority of Justices.¹²⁴ In contrast, Emsley stated that borough chief constables were more tightly supervised since Watch Committees met weekly and passed orders directly to them.¹²⁵ However, as Parris pointed out, in theory, the fact that the position of the county chief constable had been established by statute whereas that of the borough chief had developed through a local need for a police leader meant that the Home Secretary could have exercised more control over the county office holder than he did over his equivalent in the borough.¹²⁶ In fact, for the most part successive Home Secretaries chose to distance themselves from county policing, although they sometimes delegated HMIC to investigate local situations that had been referred to them.

Wall viewed the authority of the borough police chiefs rather differently from Steedman. He contended that the brief of the borough police chief which was similar to that of the county chief constable consisted mainly of 'interpreting instructions, managing, appointing and dismissing', whereas Steedman maintained that borough chief constables were given 'a free rein' only 'in a few cases'.¹²⁷ Wall also commented that despite the differences in the status and power of the borough and county police leaders there were similarities between the two offices. In each case the chief

¹²² Wall, *Chief Constables*, p. 94.

¹²³ Emsley, *English Police*, pp. 87-88.

¹²⁴ Lustgarten, *Governance*, p. 41.

¹²⁵ Emsley, 'The Police', in V. Bogdanov, *The British Constitution in the Twentieth Century* (Oxford: Oxford University Press, 2003), p.559.

¹²⁶ Parris, 'Home Office', p. 241.

¹²⁷ Wall, *Chief Constables*, p. 96, Steedman, p. 27.

constable was a 'mediator' between the force and the police authority which was the Watch Committee in the borough and the Police Committee of the Quarter Sessions (later the SJC) in the county. He added that the frequent changes in the membership of the Watch Committee added to the significance of the borough police chief's role as a 'go-between'.¹²⁸

Emsley and others noted that the increase in a 'variety of lesser tasks' added to the responsibilities of police chiefs in boroughs and counties.¹²⁹ Wall also noted that through 'the broadening of the police role' they and their forces often acquired 'personal legitimacy' and the respect of the townsfolk.¹³⁰ Despite the development in the role of the borough police chief, as Parris commented, many Watch Committees continued to dictate policing policy to the detriment of the independence of the borough police chiefs. He remarked that 'the pattern of administration by watch committees was often squalid in reality'. Furthermore, the relatively insecure position of the borough chiefs meant that they could be vulnerable to attacks from ill disposed members of the Watch Committee.¹³¹

In the comparison of the authority of the two types of chief constables it is relevant here to consider some archival evidence relating to the status of the borough police chiefs. Over the years concern was expressed about the confusion that was caused by the titles that were used by borough chief officers. Whereas many of them were called 'head constable', 'head superintendent' 'chief police officer' and other similar titles, others were styled 'chief constable'. One of the problems associated with this usage was highlighted in 1890 when the Chief Constable of Northamptonshire contacted the Home Office to complain about problems that were caused because some of his correspondence was being diverted to the Chief Constable of Northampton. Officials at the Home Office considered that the Chief Constable had no right to use the title.¹³² Dunne, in Cumberland was similarly disgruntled when letters addressed to him were delivered to Carlisle City Police Office and opened. He was particularly incensed when one letter was returned to him without envelope or apology. He suggested that borough chief officers

¹²⁸ Wall, *Chief Constables*, p. 31.

¹²⁹ Emsley, *English Police*, p. 84.

¹³⁰ Wall, *Chief Constables*, p. 31.

¹³¹ Parris, 'The Home Office', p. 251.

¹³² Home Office (HO), 45/9969/X26632, County or Borough Chief Officer of Police, Mode of address, Minute, 21st January 1890.

should be styled 'head constable' or 'chief of police'.¹³³ When a correspondent in *Justice of the Peace* asked if heads of police in boroughs could be called 'chief constable' he was told that there was 'nothing statutory' and that although the title 'chief constable' had always been used in the counties, various modes of address had been used in the boroughs.¹³⁴

The affair rumbled on until Matthew Ridley, the Home Secretary attempted to avoid further controversy by declaring that both groups of police chiefs should use the title 'chief constable'. However, there was to be a slight distinction. Whereas the title of the county chiefs would be 'Chief Constable of [...]' with the name of the county inserted, the borough chiefs would be known as 'Chief Constable [...]' with the name of the town or city inserted, followed by the word 'police'. This difference in terminology was to indicate that the borough police chiefs were the highest ranking officers in their forces but that they were not appointed by statute, as were the county chiefs.¹³⁵ There is no doubt that the repeated complaints from county chief constables resulted from a desire to maintain their superiority over the borough police chiefs some of whom would not have been satisfied with Ridley's compromise, because they were in charge of forces that were larger than some of the county constabularies. Continuing to assert their superiority, the county chiefs adopted an elaborate uniform for social occasions.

In the foregoing historiographical review much of the literature which was discussed established pointers towards the routes for ensuing research. For example, the numerous details about selection and appointment, family, career and social status of chief constables provided a useful starting point for the exploration of the authority of the six office holders in this study. Similarly the information about the composition and changing profile of the magistracy anticipated an investigation into the part that they played in determining the status of chief constables before and after the change in police supervision in 1888. The literature which addressed the changing balance of local and central government in the early years of county policing suggested that future enquiry into the involvement of the Home Office in county policing would be significant. The information from secondary sources which created the context of chief constables' management of county

¹³³ HO 45/9969/X26632, Minute, 7th May 1892.

¹³⁴ T. Skyrme, *History of the Justices of the Peace*, 1888, p, 685.

¹³⁵ HO 45/9969/X26632, Minute, 22nd March 1897.

forces laid useful groundwork for searches into a more detailed portrayal of their responsibilities. Moreover, discussion of twentieth century attitudes towards the concept of constabulary independence provided a reference point in situations when the autonomy of nineteenth-century chief constables came under attack. Although the thesis was primarily concerned with county chief constables' freedom of action, there were points where the position of borough chief constables also came under scrutiny. Therefore the initial comparison of their status underpinned further exploration of their authority.

However, despite producing a large quantity of information, historians skirted round the central concern of this thesis, the chief constables' autonomy in the formulation of policy and the tackling of day to day challenges that they encountered. Furthermore, although they commented on the continuing and rapid growth of population and an increasingly complex society which created a proliferation of extra responsibilities for the police, they said little about how this impacted on the management of chief constables. An important conclusion that could be drawn from the historiography was that there was probably much more to discover about how county chief constables were affected by party political involvement in policing and that an investigation of their contacts with HMIC and the Home Office would shed further light on their management of police forces.

Sources and methods

Locating primary evidence that sheds light on the issues confronting nineteenth-century county chief constables was not without its problems. In 1983, D.J.V. Jones lamented the loss of police archives, stating that 'much front-line information' was 'gone for ever'. Furthermore, he maintained that much of the extant material was of little value to the historian since it represented 'the tidied records of bureaucracy'. In particular, he castigated the annual reports of chief constables as 'coded messages, selected statistics, bland assertions and epilogues of self praise, classic products of a new and wary profession'.¹³⁶ However, perhaps Jones' voice of doom was premature. In the intervening years things have moved on, with the emergence of considerably

¹³⁶ D.J.V. Jones, 'The New Police, Crime and People in England and Wales' *Transactions of the Royal Historical Society*, Fifth Series, 33 (1983), p. 152.

more evidence. Important collections of archives for police historians are those which hold the records of county police forces. In this regard, a significant staging post was the publication in 1989 of Emsley and Bridgeman's *Guide to the Police Archives of England and Wales*, as it listed the material held by county constabularies.¹³⁷ Nevertheless, things were in a state of flux at that time. Chief constables had no joint policy about what to do with their forces' records, and some had already been deposited in county record offices or police museums. The counties where this had happened, some of which have featured prominently in histories of nineteenth-century policing, were omitted from the Guide. Further complications were caused by the subsuming of some small forces into those of larger counties, and the taking of other forces into newly created counties e.g. West Mercia, Thames Valley, Avon and Somerset. As a result, the Guide cannot realistically be expected to provide a total picture of the current situation. Since 1989, county record offices have become the repositories of most police archives, and they hold a wealth of different categories of information concerning policing in different regions. The extent of the changes that have taken place is illustrated by reference to the Gloucestershire police archives. It was stated in 1989 that nothing had survived in the Gloucester police archives from before 1929. However, the present state of affairs in the Gloucester Record Office is very different. There are over 300 entries relating to nineteenth-century policing in their catalogue. Another example of the progress is represented by the online catalogue of the Lincolnshire archives. In the 1989 Guide, about 100 items had been listed. Subsequently many more records have been added to the collection which is now presented in a clear and detailed format.

A wide range of sources were consulted in the course of this thesis. Army Lists and censuses in the National Archives provided biographical material about the six county chief constables. Career details were also found in County Record Offices and House of Commons Parliamentary Papers. The British Library digitised database of nineteenth-century London and provincial newspapers was also an important further resource for evidence about the office holders. It produced information in numerous editorials, correspondence and reports which was unavailable elsewhere. However, since the newspapers of Cumberland and Westmorland had not been digitised, their

¹³⁷ I. Bridgeman and C. Emsley, *A Guide to the Police Forces in England and Wales* (Police History Society, 1989).

paper versions were consulted. On those occasions the search focused on certain dates when previously identified subjects would be covered.

The Minute Book of the Cumberland Police Committee provided a record of Quarter Sessions supervision of the County Chief Constable. It was an important source from the 1880s which contained brief handwritten notes about the final years of the magistracy's oversight of the county constabulary. Although no minute books survived from this period in the other three counties, it was possible to make comparisons with the situation elsewhere by referring to local press reports.

The Standing Joint Committee Minute Books of three counties were central to the whole investigation. They were the records of the county police authorities after 1888 and recorded the proceedings of the quarterly meetings, the sub-committee meetings and the specially convened meetings. The names of those attending were usually listed in two categories: Magistrates (appointed by Quarter Sessions whose minute books survived for the period of this study); Councillors (appointed by the County Council). On occasions Aldermen were listed separately. In addition, the record of the first meeting of the local authority's year contained the names of the newly elected chairman and vice-chairman. Outstanding matters from previous meetings, sub-committee reports and information from various officials including the county clerk, and the chief constable's lengthy report all contributed to the quarterly minutes. The chief constable's report included crime figures for the previous quarter and sometimes he followed up earlier agenda items and referred to his current concerns. Occasionally, copies of relevant letters and statements from outside bodies or individuals were included in the minutes. Although these books chronicled most of the business that passed through the hands of the Committee, they sometimes gave frustratingly little explanation of the chief constable's management strategy and scant disclosure of the Committee members' motivation. Although there were no SJC minute books for Westmorland there were several boxes of SJC Papers which provided some insight into those aspects which were missing from the more formal records of the other counties and they proved to be a more fruitful and interesting source. They were a fascinating hotchpotch of correspondence, reports, speeches, statistics, lists of names and some drafts of meeting minutes and agendas. It was necessary to read

all through the papers to identify material that had a direct bearing on the topic whereas relevant evidence could often be retrieved from the minute books by date.

House of Commons Hansard was an important archival source because it recorded the debates about the future of the county police which led up to the 1888 Local Government Act and revealed party political attitudes towards control of the county police and chief constables. The subsequent county council election campaign, election results and early county council activity were widely covered in national and local newspapers some of which continued to make reference to political activity that would impact on the police. In the SJs political affiliation was sometimes revealed in resolutions and voting patterns. Although it was impossible to obtain information about the allegiance of all the county councillors and Committee members, the local press revealed the loyalties of many individuals. Furthermore, newspaper accounts of events which ranged from visits by government ministers and meetings of local associations to smoking concerts, fetes and funerals often listed the party faithful.

County council minutes, especially in the case of Durham, provided valuable evidence when read in conjunction with the SJC records. Despite the fact that Durham County Council had no jurisdiction in the matter of policing policy and expenditure, the minutes of their meetings revealed that this did not prevent councillors from expressing opinions about the governance of the Durham police and making recommendations for the consideration of the Standing Joint Committee.¹³⁸ A collection of Home Office files in the National Archives usefully complemented the facts and impressions that can be obtained from the SJC Minute Books, and provided a significant additional source. Perhaps the most interesting aspect of these files was the degree of personal comment which accompanied the more formal correspondence. Some of this pertained to a situation in 1902-1903 that occupied much of the Durham SJC's attention.¹³⁹ Not only were there numerous examples of the letters that were sent from Durham to the Home Secretary and vice versa, but also drafts of Home Office out-letters and the handwritten responses of Home Office officials who were consulted before letters were composed. In some cases the file would contain the minutes of their

¹³⁸ See particularly in chapter five some references to Durham County Council meetings where there was evidence of interference by the County Council.

¹³⁹ These events which concerned an attempt by Durham SJC to deprive their Chief Constable of some of his powers are outlined in chapter seven.

discussion and the judgement of Law Officers. Memoranda which summarised sequences of correspondence supplied useful overviews of the topics under consideration. Occasionally, the files also contained extracts from contemporary newspapers which related to the case under consideration. An interesting additional resource was the Minutes of the Chief Constables' Club which are housed in the ACPO archives. Established in 1856, the Club provided an annual forum where county chief constables could share their concerns.¹⁴⁰

The reports of HMIC inspections of borough and county police forces which are housed in the Parliamentary Papers of the House of Commons revealed some aspects of the relationship between inspectors and chief constables. However, it was the Home Office files again which provided most of the relevant details and also evidence about the chief constables links with central government.

Chapter Summary

The structure of the thesis falls naturally into a chronological sequence, since it is particularly concerned with the effects of change and development on the position of county chief constables. In Chapter Two, the generalisations about the backgrounds and careers of the six post holders are tested, aspects of their personalities are revealed and the way in which local conditions could impact on the management of their constabularies is discussed. In this context comparisons are made of the progress of industrialisation, the ensuing population increases and the state of crime in the four counties. Following on from the reference to the literature in Chapter One about the relationship between chief constables and magistrates Chapter Three demonstrates how the level of autonomy which was assigned to chief constables by Quarter Sessions in the period leading up to the implementation of the 1888 Local Government Act varied from county to county. It also explores the importance of the magistracy in the supervision of county policing after the implementation of the Act and traces its declining influence thereafter. Chapter Four charts the controversy about the police and the power of chief constables which arose during the passage of the 1888 Local Government Bill in the Commons and the potential repercussions for chief constables from the political activity which occurred in the run up to the first county council elections, the subsequent appointment of aldermen and the election of county council chairmen. In

¹⁴⁰ Farnham, Association of Chief Police Officers (ACPO), Chief Constables Club, Minutes of Meetings.

the next chapter there is an investigation into the part played by chief constables in controlling the disturbances which were associated with the miners' strikes in the early 1890s and the freedom of action that they were allowed by the SJs in those situations. The inadequacies of the system for borrowing and lending police in times of disturbance are noted as are the subsequent attempts by the government to alleviate the situation. Additionally in this chapter, the controversial involvement of the Chief Constable of Durham in the aftermath of a colliery strike is outlined. Chapter Six reviews the varying levels of obstruction in policy making and in disciplinary procedures that some chief constables began to encounter from police authorities. It highlights the emergence of a political agenda in two SJs and attempts to encroach on their chief constables' authority. In Chapter Seven there is documentation of one SJs' dismissal of a chief constable and of an attempt by another to curtail a chief constable's freedom of action by instituting rules for his management. Attention is also drawn to the unusual situation where the Home Office became implicated in the same SJ's supervision of its chief constable. The final chapter explores the establishment of HMIC and the nature of its role. This is followed by a review of the situations in which communication between chief constables, the Home Office and Her Majesty's Inspectorate occurred. There is also an evaluation of how far these contacts affected the status of chief constables. The thesis concludes with a consideration of the issues of power and control that have been raised and with a final judgement about how the position of the chief constables was affected by the problems that they encountered

Chapter Two Chief Constables of Durham, Cumberland, Westmorland and Lancashire

This investigation into the power of county chief constables opens with a survey of the individuals who held office from 1880 to 1905 and the context in which they worked. Their antecedents, social position and careers will be compared with reference to the details which emerged from the literature review in the previous chapter and a more rounded impression of their personalities will emerge from an exploration of archival sources. Then their status and influence will be highlighted in a comparison of the position of county chief constables and certain borough police chiefs. In the second section of the chapter attention will turn to the four counties where the chief constables in this study were based. The intention here is to highlight regional and societal differences which might affect the management of their constabularies. Assembling a profile of the protagonists and their environments at this stage of the thesis will contribute to a better understanding of their motivation when they feature in later chapters. Knowledge and understanding of the chief constables themselves and their situation will show that there were opportunities for some individuals to develop their own sphere of action. However, through the course of this thesis it will also become clear that others encountered challenges to their autonomy.

The Post Holders

1. Antecedents

Although the Lancashire and Durham county police forces had been established in 1839, following the implementation of the County Police Act, the combined force of Cumberland and Westmorland was not formed until 1857, when it became a statutory requirement for every county to have a constabulary police force. Table 1 shows the length of service of the six chief constables whose time in office forms the focus of this study.

TABLE 1 County Chief Constables in Lancashire, Durham, Cumberland and Westmorland 1880-1905

County	County Chief Constable	Years in Office
Lancashire	H.M. Moorsom	1880-1909
Durham	G.F. White	1848-1892
	J.H. Eden	1892-1902
	W. G. Morant	1902-1922
Cumberland and Westmorland	J. Dunne	1857-1902
	C.D.C. Parry	1902-1920

Sources: *Newcastle Courant*, 20th January 1992 p. 4; D.R.O., SJC Minutes, February 1892, February 1902, October 1902; *Newcastle Courant*, 5th December 1856, p. 8; Westmorland SJC Papers, April 1902; *Scotsman*, 11th July 1902, p. 6; *Blackburn Standard*, 3rd July 1880, p. 5.

By 1880, George White had already served 32 years as Chief Constable of Durham and John Dunne had been in office in Cumberland and Westmorland since 1857. Henry Moorsom was appointed as Chief Constable of Lancashire in 1880 and remained in post until 1909. In Durham, White was replaced by John Eden in 1892 and ten years later when Eden was elevated to HMIC, he was succeeded by William Morant. In the same year John Dunne retired and Charles De Courcy Parry became Chief Constable of Cumberland and Westmorland. The long tenure of White, Dunne and Moorsom provided them with wide experience of the major developments in nineteenth-century policing. In the cases of Dunne and Moorsom evidence will reveal that their long service brought recognition from the Home Office and that from time to time they were active in promoting reforms in policing.

To some extent the former careers and family backgrounds of this group of chief constables did exhibit the characteristics that were identified in chapter one as being typical of the post holders. White, Moorsom and Eden had been army officers, each of them attaining the rank of Lieutenant-Colonel. White had served in the 31st Regiment of Foot in India but there are no

archival details of his military experience.¹ Moorsom who served in the Rifle Brigade was described as one of three brothers who fought ‘with distinction’ at the siege of Lucknow, India in 1858.² In the years leading up to his appointment as Chief Constable of Lancashire Moorsom had served as Deputy Assistant Quartermaster-General in Ireland, ‘on duties connected with schemes for the defence of the country’.³ Eden had served with the Egyptian and Sudan Frontier Field Forces and participated in the expedition up the Nile to relieve General Gordon at Khartoum. He was awarded the Egyptian Medal and Khedive’s Star.⁴ Unlike the White and Moorsom families, Eden’s immediate kin had no military involvement. On the contrary his father and three brothers were Anglican clergymen.⁵ There is no evidence that either Morant, Parry or Dunne had served in the regular army, but a short press report in 1893 mentioned that a ‘Lieutenant William Morant’ had resigned his commission in the ‘Volunteer Artillery’.⁶ The Volunteer Movement was set up in 1859 after the Crimean War and the Indian Mutiny, when it became obvious that the British army was not large enough to send an expeditionary force abroad and to defend the homeland at the same time. The public flocked to join the civilian force and within a short space of time 150,000 ‘enthusiastic and partially trained’ men were ready to defend the country, should there be a war. The Volunteers became increasingly integrated within the regular army and in 1908 they were absorbed into the Territorial Force.⁷

The gentry connections that historians have associated with county chief constables are partially traceable in the cases of White, Moorsom, Eden and Parry. An indication of White’s social status as a county chief constable is revealed in Northumberland and Durham newspaper accounts of events attended by the local elite. At the 1850 Durham County Agricultural Show he was listed among ‘the other noblemen and gentry’ who had been ‘noticed’ on the showground. Similarly,

¹ The National Archives (TNA), WO 31, Army Lists, 1844, p. 207. During his service in India White had produced a series of well received watercolours and drawings of the Himalayas. One of his paintings was sold in 2007 for £1,500 and others are located in major London galleries.

² E. Drake, ‘Moorsom, William Robert (1834-1858)’, *Oxford Dictionary of National Biography*, Oxford University Press, 2004; online edn., Jan 2007. His brother William who played a leading part in the action and was ‘honourably mentioned thirteen times in dispatches’ was killed while leading an attack. [<http://www.oxforddnb.com/view/article/19157>, accessed 6th Jan 2011]

³ *Belfast News-Letter*, 28th December 1875, p. 4.

⁴ A. Watson and D. Harrison, *Policing the Land of the Prince Bishops: the History of Durham Constabulary*, (Durham: Durham Books, 1990), p. 14.

⁵ B. Burke and P. Burke, *A Genealogical History of the Peerage, Baronetcy the Privy Council and Knightage* (London, Burke’s Peerage, 1933), p. 876.

⁶ *York Herald*, 14th March 1883, p. 3.

⁷ W. McElwee, *The Art of War Waterloo to Mons* (London, Weidenfeld and Nicolson, 1974), p. 79.

in January 1858, he was mentioned as one of a 'select and fashionable circle' who had attended a grand ball at Ravensworth Castle where 'about 400 of the leading families of the two counties were present'.⁸ However, in his case, it is not possible to find evidence of upper class antecedents. On the other hand, details of Moorsom's family background are more easily traceable. In the *Oxford Dictionary of National Biography*'s entry for his brother William, Henry Moorsom and his eight siblings were mentioned as grandchildren of Admiral Sir Robert Moorsom of Cosgrove Priory, Northamptonshire and the children of William Scarth Moorsom, who became well known in this country and abroad as an eminent surveyor, particularly in the field of railway construction.⁹ According to A.W. Purdue, Eden was a cousin 'of some sort' to Sir William Eden, 'the grandson of Sir John Eden 4th Bt. and son of Thomas Eden who had been secretary to the Governor of Ceylon'.¹⁰ He enhanced his social standing by marrying Lady Florence Lowry-Corry, second daughter of the Earl and Countess of Belmore.¹¹ Parry was the son of Captain F.J. Parry, who held the post of Chief Constable of Derbyshire from 1873 until 1892 and subsequently that of HMIC for the Southern District. Charles Parry was educated at Radley and numerous accounts of their attendance at upper class gatherings in Derbyshire reveal that the family mixed in Derbyshire society.¹²

In contrast to the social background of the aforementioned Chief Constables, Morant's family was middle class. He was the son of Alfred Morant who in 1881 gave his profession as 'civil engineer'.¹³ In his time as Town Surveyor of Great Yarmouth, where William was born, Alfred Morant who was a keen historian became actively involved in researching the history of the town.¹⁴ Later, he held the post of Borough Engineer and Surveyor engineer of Leeds.¹⁵ Manuscript collections in several important libraries indicate that Alfred Morant had wide interests. For example, deposits in the Bodleian Library where he is described as 'Engineer,

⁸ *Newcastle Courant*, 1st January 1858, p. 5.

⁹ Drake, *ODNB*.

¹⁰ A.W. Purdue, personal communication.

¹¹ *Morning Post*, 16th October 1893, p. 1.

¹² *Derby Mercury*, 14th January 1891, p. 5.

¹³ TNA, RG11, 4534, 82, 1881 England Census.

¹⁴ A. Morant, ed. *Extracts from such portions of the Public Records as relate to the town of Great Yarmouth and its neighbourhood. Also, extracts from Assembly Books, 1642-1860* (Unpublished Manuscript, 1870).

¹⁵ *Leeds Mercury*, 27th September 1894, p. 3

Surveyor and Antiquary' reveal a study of heraldry.¹⁶ When he died, aged 53 in August 1881 his demise was reported in the London press.¹⁷ All this suggests that had it not been for his untimely death, Morant senior, polymath, might have been recorded as 'gentleman' in the later censuses.

Dunne stands apart from the others since there is no conclusive evidence about his birth, family or age. There is no mention of him on any census until 1861, when he had been in office as Chief Constable of Cumberland and Westmorland for four years.¹⁸ His recorded birthplace in the following census is vague and totally different from the one which had been documented ten years previously.¹⁹ The 1881 entry is more specific.²⁰ It has links with some rough notes on a scrap of paper in a local archive that mentions 'the ancient family of Dunne' in Queens County Northern Ireland.²¹ The notes would probably have been made during research for the citation that accompanied the announcement of his knighthood in 1897. Steedman's comment that rising to the position of county chief constable 'might enable a man to consolidate and extend an existing social position and wed himself into the upper reaches of the county hierarchy' was applicable to Dunne's situation, although it is difficult to ascertain what his 'existing social position' actually was at the time of his marriage.²² Nevertheless, his marriage to Mary Barnes, the daughter of Dr Thomas Barnes, 'a Carlisle physician of repute', gave him a wider entry to Cumberland society and financial security when she inherited a share of 'the great Tring estate' in Hertfordshire.²³

2. The appointment of Chief Constables with policing experience

Evidence about the early careers of the six Chief Constables revealed that whereas Moorsom, White and Eden had been appointed from outside the police, Morant, Parry and Dunne were career policemen. However Parry's position differed from that of Morant and Dunne because he benefited from his father's position as Chief Constable of Derbyshire when he joined the county

¹⁶ Bodleian Library, MSS. Eng. misc. c. 149-51, Collections by A.W. Morant.

¹⁷ *Standard*, 2nd August 1881, p. 1.

¹⁸ TNA, RG9, 3914, 22, 1861 England Census.

¹⁹ TNA, RG10, 5216, 37, 1871 England Census.

²⁰ TNA, RG11, 5153, 99, 1881 England Census.

²¹ Carlisle Record Office (C.R.O.), SCONS/2/41, 1891-1903, Official and Personal Papers of/relating to Sir John Dunne, Chief Constable of Cumberland and Westmorland

²² Steedman, *Policing*, p.47.

²³ *The Times*, 3rd November 1898, p. 8.

police. Although he began his career as a third class constable in 1887, his first stationing was at the county headquarters and within four years he had attained the rank of inspector.²⁴ In January 1893 he became an inspector in Bristol City Police and by April of that year he had been promoted to the post of Chief Inspector.²⁵ Proof that the promotion had caused dissatisfaction among the other inspectors in the Bristol force emerged at a Town Council meeting in October. Evidently they had complained to the Watch Committee about the Chief Constable's intention to alter the inspectors' hours of duty which would result in Parry doing no night or Sunday duty.²⁶ Mr Cunningham, the Watch Committee member who had raised the matter commented that the 'police force of Bristol' was unhappy about the way in which police promotion had been conducted 'for some time past'. He was supported by Mr Lloyd who stated that 'the promotion of this young man over the heads of experienced men well able to carry out the duties had caused great dissatisfaction in the force'. Defending the Chief Constable's appointment of Parry, the Mayor of Bristol said that 'he understood' that the inspector in question was 'an exceptionally able young man and was specially fitted for the performance of special functions, more especially relating to clerical work'.²⁷ It is worth noting that the Watch Committee of a city as large as Bristol exerted far more control over the police than an SJC would have had over a county force.

By this time, Parry's father had been appointed as HMIC for the Southern District and it seems likely that his influence was instrumental when Parry applied for the post of superintendent in the Monmouthshire Constabulary four months later. The short press report which listed the names of applicants certainly mentioned his parentage.²⁸ In the announcement of his appointment, he was described as 'although only about 24 years of age [...] an exceedingly smart officer'.²⁹ Two more promotions – to the posts of Deputy Chief Constable of Kent and Chief Constable of Bath led finally to the office of Chief Constable of Cumberland and Westmorland

²⁴ *Derby Mercury*, 15th June 1892, p. 3.

²⁵ *Bristol Mercury*, 8th April 1893, p. 3.

²⁶ *Bristol Mercury*, 31st October 1893, p. 3.

²⁷ *Bristol Mercury*, 31st October 1893, p. 3. It is interesting to note that the Watch Committee in this case had far greater powers than SJCs did over county forces.

²⁸ *Western Mail*, 22nd January 1894, p. 5.

²⁹ *Western Mail*, 19th January 1894, p. 6.

in 1902.³⁰ The trajectory of Parry's career progression has some similarities with the 'father/son dynasty' that Wall referred to (see Chapter One).³¹ He mentioned that when a father/son relationship played a part in securing an appointment, the promotion did not necessarily result from active campaigning on the part of the father. Rather it stemmed from the preference of police authorities to appoint a candidate who was directly or indirectly known to them. Therefore, a chief constable's son, especially if he had police experience, would have been very acceptable.³² Likewise, an HMIC's son would have been an equally attractive proposition.

Whereas Parry's career path had been expedited, it appears that Dunne and Morant reached the top with little or no assistance. 42 years previously, it had taken Dunne only two more years than Parry to reach the position of chief constable although his early progression through the ranks was slightly slower than that of Parry. In response to questions about his time in the police, when he was giving evidence to the Select Committee on Police in 1853, he gave a *résumé* of his career up to that point. He had joined the Manchester police as a constable in 1840 and having served there for one year he had moved to Essex.³³ Essex police registers show that during his eight years in the county constabulary he had been promoted from 2nd class constable to 1st class constable and in 1846, to the rank of inspector. Dunne recounted that he had subsequently served in the Bath police for 13 months before being appointed to the Kent force as a superintendent. His first appointment as a chief officer was in Norwich, his current post.³⁴ It is possible that Dunne's uneven movement from force to force was a pragmatic course of action. In Manchester, he would have learnt the basics, but he probably saw his longer period in Essex as a way to consolidate his early progress and to earn promotion. Steedman remarked that preferment came more quickly in the 'new forces' before 1860 and Dunne had certainly benefited from that

³⁰ *The Times*, 17th July, p. 8.

³¹ See Chapter One, p.15.

³² Wall, *Chief Constables*, p. 139.

³³ Parliamentary Papers (P. P.), xxxv1.1, 1852-3, First Report from the Select Committee on Police; with the Minutes of Evidence, p. 115. The Select Committee had been set up with a view to 'adopting a more uniform system of policing'. It had a centralist agenda and took evidence from a group of like-minded people who mainly consisted of chief constables (plus some superintendents), magistrates, farmers, land agents and prison governors. Its findings were predictable: in areas where the 1839 Act had been adopted, law and order were much improved and it should be extended to the remaining counties.

³⁴ P. P. xxxv1.1, Evidence, p.115.

situation in the Essex force.³⁵ Moreover it is likely that when he applied to the Essex Constabulary he knew about the newly appointed Chief Constable of Essex, John McHardy and saw him as a role model to be emulated. In her study of Essex constables Maureen Scollan described McHardy as 'outstanding' and stated that he had rapidly assembled 'a well-organised force'.³⁶

Within three years of leaving Essex, Dunne had been appointed Chief Constable of Norwich, by way of short term posts in Bath and Kent.³⁷ In his nine pages of evidence to the Select Committee he demonstrated that he had built up a formidable reputation in his various postings around the country. He had amassed considerable experience of borough and county policing systems and he had very definite opinions about how they could be improved. His responses played into the hands of those who were advocating reform of the police in the early 1850s. When questioned about the efficiency of the Norwich police he had replied that the force was 'not in such a satisfactory state of efficiency' as he would have liked. This was mainly due to the 'divided control of the magistrates and the Watch Committee.'³⁸ His stance on borough policing was uncompromising: he stated that each borough had 'some system or other peculiar to itself' which meant that there was 'no uniformity, no co-operation, no communication, no effectual action'.³⁹ Dunne was of the opinion that 'consolidating the borough police with the county forces' would be very 'beneficial'.⁴⁰ His forthright opinions on the inadequacies of borough policing would not have endeared him to any Watch Committee representatives at the Enquiry. He was equally vehement about the state of rural policing in Kent where he had been appointed as a Superintending Constable.⁴¹ He thought that the scheme was very expensive to implement

³⁵ Steedman, *Policing*, p. 17.

³⁶ M. Scollan, 'Parish Constables versus Police Constables: Policing Early Nineteenth-Century Essex', The Open University, PhD Dissertation, 2007, p. 160.

³⁷ Essex Police Museum, J/P 2/3, J/P 2/4, Promotion Register of Constables, 1840-1890.

³⁸ P. P. xxxv1.1, Evidence, pp. 115-116. Naturally his criticism of the Norwich situation would have been unpopular with the Borough's Watch Committee. However the advocates of the county policing reform on the Select Committee would have welcomed his comments.

³⁹ P. P., xxxv1.1, Evidence, p.116.

⁴⁰ P. P., xxxv1.1, Evidence, p.119.

⁴¹ Superintending Constables Act, 1852 (5th and 6th vic. c.109). The Act attempted to improve the situation of rural policing by appointing a superintending constable for each division to supervise the parish constables (many of whom were grossly inefficient). Opinions differed about the effectiveness of the measure. Payment of the officer's wages was a bone of contention as can be seen in the report of the second reading of the Bill, *The Times*, 22nd April 1852, p. 3. Dunne had been the Superintending Constable of the Bearsted Eastern Petty Sessional Division of Aylesford in Kent.

and he had found that the rural constables were unreliable and often 'reluctant' to carry out their duties because by so doing they came 'into collision' with people 'on whom they depended for their livelihood'.⁴²

Dunne continued to enhance his reputation when he was appointed as Chief Superintendent of Newcastle-Upon-Tyne in 1853. When he left the town, it was stated by the local magistrates that 'under his judicious and able superintendence', he had 'brought the Police from a state of much disorganisation to one of perfection not to be surpassed in the Kingdom'.⁴³ Dunne had timed his rise to the top perfectly. When he had given evidence to the Select Committee only a year or two previously, he would have recognised their agenda from the direction of their questioning. Therefore, his imminent move from Norwich to Newcastle had put him in an excellent position to seek promotion to one of the new chief constableships when the opportunity arose. He duly applied for posts in Cornwall, Devon, Somerset, Derbyshire and Cheshire, as well as for the vacancy in Cumberland and Westmorland.⁴⁴ After his undoubted achievements in the police forces where he had served, it is unsurprising that he was the unanimous choice of the Cumberland and Westmorland magistrates out of 81 candidates.⁴⁵

There is less evidence about Morant's route to the office of Chief Constable of Durham in 1902. In 1881, he was working as an 'accountant's assistant' and there is no information about when he actually joined the police.⁴⁶ Apparently when he was appointed to the post of Chief Constable of South Shields in 1894, the choice of candidates had been very difficult since the list contained 'the names of several 'highly recommended and experienced men'. He was ultimately chosen because he had 'an excellent record of police work during the previous 12 years in Edinburgh, the Metropolitan Police, London, Reading and Reigate', where he had held his first chief constable's post.⁴⁷ Morant was criticised in the press when he presented his first crime returns for South Shields by not following the example of the Chief Constable of Newcastle in giving

⁴² P. P., xxxv1.1, Evidence, p.117.

⁴³ C.R.O., YSCONS, 1/5/6, Account by D. Garner, Curator of Cumbria Constabulary Police Museum, undated.

⁴⁴ C.R.O., YSCONS, 1/5/6, Account by D. Garner.

⁴⁵ *Newcastle Courant*, 5th December 1856, p. 8.

⁴⁶ TNA, RG11, 5153, 99, 1881 England Census.

⁴⁷ *Newcastle Courant*, 29th September 1894, p. 4.

detailed information about the problem of drunkenness in the borough.⁴⁸ However it was not long before he began to make his mark. In the inspection report of a month or two later, HMIC Croft expressed his 'entire satisfaction' with the state of the South Shields force which was 'highly creditable' to Morant.⁴⁹ In 1898, panic appears to have set in when he was selected as one of two candidates under consideration after the 'weeding out' of many applicants 'from all parts of the country' for the chief constable's post at Birkenhead. Evidently he had 'come near' to obtaining positions elsewhere in the four years since he had taken up his job at South Shields.⁵⁰ In an attempt to retain his services, the Watch Committee recommended to the Town Council that Morant's salary should be increased and a deal was struck whereby he committed to withdraw from the Birkenhead interview and to stay in South Shields for an agreed number of years.⁵¹ In the following January he applied for the vacant chief constable's post in Newcastle-Upon-Tyne. An editorial suggested that although he failed to get the job, South Shields Town Council might well hold the Watch Committee to account for allowing him to make the application, bearing in mind the agreement that had been made with him the previous year.⁵²

In the event, Morant remained in South Shields until he was appointed as Chief Constable of Durham in October 1902 at a salary of £650 per annum. There were 55 applicants for this post and it was stipulated that the man appointed should be a 'trained policeman'.⁵³ This demand by Durham SJC for policing experience was associated with their attempts to deprive the Chief Constable of his autonomy which are discussed in Chapter Seven. Evidence that other advertisements for county chief constableships at the turn of the century required police experience has not been found and it is unlikely that it exists. According to Wall, (See Chapter One) most county chief constables who were appointed between 1857 and 1910 had served as officers in the army.⁵⁴ As late as 1908, the seven shortlisted candidates for the post of Chief Constable of Wiltshire were military men. Although requirement for police experience evidently began to be made in the 1870s, the expectation of the 'experience' was usually brief employment

⁴⁸ *Newcastle Courant*, 16th February 1895, p. 4.

⁴⁹ *Newcastle Courant*, 13th July 1895, p. 4.

⁵⁰ *Newcastle Courant*, 2nd April 1898, p. 4.

⁵¹ *Newcastle Courant*, 9th April 1898, p. 3.

⁵² *Newcastle Courant*, 14th January 1899, p. 4.

⁵³ *Manchester Guardian*, 29th October 1902, p. 9.

⁵⁴ See Chapter One, p.13.

in a force at a high rank or the short term placement in a county office which two of the Wiltshire candidates had completed.⁵⁵ Whereas Parry's and Dunne's policing experience had included periods in borough and county forces, Morant's previous career had not included any county service, although he was the only one of the six Chief Constables to have worked in the Metropolitan Police. The move from South Shields' force of 115 to the county with 618 officers must have presented considerable challenges.⁵⁶

3. Chief Constables: the men behind the public image.

It can be taken for granted that the personality of each of the six Chief Constables would play an important part in their attempts to establish their standing and to assert or retain their authority, particularly in relation to the police authorities who supervised them. Searches for clues about the characters of the office holders began with the three longest-serving County Chief Constables in this study: White, Moorsom and Dunne. Available evidence revealed more personal information about Dunne than Moorsom and White. One newspaper report was particularly revealing because it showed that as Chief Superintendent of Newcastle-Upon-Tyne, Dunne was a 'hands on' leader of his force. On the occasion in question he had joined two of his officers in the pursuit of an escaping prisoner: He 'threw off his topcoat and hat' and leaving his inspectors 'far behind', he chased the prisoner, came behind him and 'knocked him down'. The local press speculated that without the efforts of their 'worthy Superintendent' the prisoner might well have escaped.⁵⁷ There are no comparable press reports to indicate whether the other two Chief Constables were so actively involved in day to day policing. Furthermore, it is impossible to detect whether Dunne was able, or willing to participate to the same degree when he was in charge of a more widely spread rural force.

Another archive which gave some insight into Dunne's management style was a letter book from his early years as County Chief Constable. It reveals that although Dunne was a strong disciplinarian he gave praise where it was due. For instance he chastised the Wigton police for

⁵⁵ Wall, *Chief Constables*, P. 105.

⁵⁶ P.P., 1902, XL1.359, Reports of the Inspectors of Constabulary, for the year ending 29th September 1901, p. 81, 85.

⁵⁷ *Newcastle Courant*, 22nd December 1854, p. 2.

not having solved some recent burglary cases by stating that it was ‘a great reflection upon the efficiency and energy’ of the local force. ‘You may depend upon it,’ he continued ominously, ‘that it will have great influence over my opinion in relation to any promotions I may hereafter have to make’.⁵⁸ In contrast, another letter announced that Superintendent Carson was promoted to the Rank of the Merit Class, and awarded the honorary medal of the Police Service for his ‘efficiency, zeal, and promptitude’ in apprehending a murderer at Penrith.⁵⁹

What was perceived as Dunne’s dictatorial style was highlighted in *The Police Review* in 1896, where it was noted that he had acted in an autocratic manner by demoting a superintendent in the Cumberland and Westmorland force who had left his post without leave. As a result of his departure, the police station was left unmanned because the remaining constable had to go and deal with a robbery. It was considered that the treatment of the officer was ‘harsh in the extreme’, adding that the following riddle summed up this kind of treatment appropriately:

Question: ‘Why is a County Police Constable like a half-roasted joint of meat?

Answer: ‘Because he is under Dunne’.⁶⁰

On another occasion, Dunne came under attack because he had promoted a constable to the rank of sergeant while demoting a sergeant to the rank of constable. These actions were taken in Whitehaven, where the Mayor and rate payers had felt that the case deserved ‘strict investigation’. However, *The Police Review* commented, somewhat unexpectedly, that if an investigation had been conducted, it might have revealed that Dunne’s actions had been justified as the kind of response to be expected ‘of a gentleman of such long experience and high repute’.⁶¹

There are no surviving chief constables’ letter books in the Lancashire and Durham police archives but an indication of the way in which Moorsom managed his constabulary can be detected in the 1896 *Police Review* which carried an item about the Lancashire Petition Movement, a system which Moorsom had recently instituted. This allowed members ‘of all

⁵⁸ C.R.O., SCONS 1/3, Chief Constable’s Copy Letter Book, 27 April 1860

⁵⁹ C.R.O., SCONS 1/3, Chief Constable’s Copy Letter Book, 19 April 1860

⁶⁰ *Police Review and Parade Gossip*, 7th August 1896, p. 378.

⁶¹ *Police Review and Parade Gossip*, 8th November 1900, p. 535.

ranks' to 'memorialise' him regarding 'changes in the pay and progress of the force' and was to be adopted in all the Lancashire police divisions.⁶² Moorsom was praised for indicating 'in a friendly spirit a readiness to receive the communications'. It was also commented that he had previously shown 'a benevolent interest in the well-being of his men'. Unfortunately, there is no evidence of this 'benevolent interest'. The report stated that although *The Police Review* had published some of the memorials, it did not want to appear as 'a delegated agitator for local police reform'.⁶³ Ironically that was the kind of image that it did acquire in the eyes of the Home Office.

This example highlights one of the differences between the Lancashire and Cumberland and Westmorland constabularies. To the Lancashire police who belonged to the largest provincial force in the country their Chief Constable was a remote unapproachable figure until he instituted the Lancashire Petition Movement.⁶⁴ On the other hand, in a much smaller force Dunne was probably too close for comfort as he was well known for the 'strict discipline' that he 'rigidly maintained throughout his service'.⁶⁵ He was probably making an accurate assessment of his regime when he told 'an interviewing reporter' that he only arranged and directed matters and 'credit' had to go to 'the superintendents, inspectors, sergeants and constables who carried out their duties'.⁶⁶ In other words, they did as they were told. According to one account, communication with him was difficult. This situation surfaced in a long rambling letter to the Westmorland SJC from Malcolm Callun who had resigned from the Cumberland and Westmorland police in 1896, because Dunne had refused to move him from a village where the 'gossip' about him which had been stirred up by two magistrates' wives was becoming unbearable.⁶⁷ Seemingly, although an investigation had completely exonerated Callun from any offence, Dunne had repeatedly refused to issue him with a 'certificate' which would have stated

⁶² *Police Reform and Parade Gossip*, 7th July 1896, p. 342.

⁶³ *Police Reform and Parade Gossip*, 7th July 1896, p. 342. This development in Lancashire would have been particularly attractive to Kempster, the editor of *The Police Review* who repeatedly expressed strong views about the rigid discipline exerted by some county chief constables, deploring the lack of communication between them and their lower ranks.

⁶⁴ See P. P., 1909, viii.339, Report from the Select Committee on the Police Forces (Weekly Rest Day Bill), with the Proceedings of the Committee, Evidence, Appendix and Index, This was not an unusual situation. The impossibility of lower ranks having direct contact with chief constables was alluded to in evidence that was given to the Select Committee on the Police Weekly Rest Day Bill.

⁶⁵ C.R.O., YSCONS, 1/5/6, account by D. Garner.

⁶⁶ C.R.O., YSCONS, 1/5/6, account by D. Garner.

⁶⁷ C.R.O., Westmorland SJC Papers, 23rd November 1892, Correspondence to Westmorland SJC

his length of service and unblemished record. Callum, well aware of Dunne's 'peculiar disposition' had given him 'plenty of time' to produce the required document, all to no avail. He accused Dunne of 'harsh treatment' and 'private ill will'. A solicitor's advice and a lack of finance had deterred him from taking his case to the Assizes. Therefore, he was appealing to the SJC to make amends for 'the gross outrage' that Dunne 'had perpetrated' against him by 'refunding' a proportion of his superannuation contribution. Sadly, there was no indication of the strength of the case against him or the outcome.⁶⁸

There is very little recorded detail about the character of White in the Durham archives. For the most part only a speculative conclusion about his attributes and shortcomings can be reached. However, in a later chapter when an ongoing episode which presented major problems for White and the Durham police is fully documented, certain aspects of White's personality will be revealed. Chief among these will be his tendency to get involved in confrontational situations and longstanding personal quarrels. An example of this kind of dispute seems to have surfaced between White and two Durham magistrates, Shafto and Fawcett at Quarter Sessions in 1874. This is somewhat surprising since Shafto, like White was a Conservative, and no acrimony between White and the Durham JPs had been mentioned in press reports of Quarter Sessions. However, on this occasion they opposed a resolution that White's pay should be increased, contending that he had received frequent rises in the past and that he was 'sufficiently remunerated for his services'. The reason why they attempted to block the pay rise is unclear but it appears to have been instigated by more than a concern for the ratepayers, since they raised two other issues which concerned White's conduct in the same meeting. They claimed that White had overstepped the mark by organising some claims for damage that had been caused at a recent election and they questioned the legality of his son holding the post of superintendent in the Durham police while he was an officer in the militia.⁶⁹ These circumstances suggest that the ill feeling towards White had been caused by some previous controversial action on his part. Certainly, the evidence presented here and later gives the impression that White had a tendency to behave in a highhanded fashion.

⁶⁸ C.R.O., Westmorland SJC Papers, 23rd November 1892, Correspondence to Westmorland SJC

⁶⁹ *Northern Echo*, 9th April 1874, p. 3.

Although the JPs' reference to the employment of his son was calculated to suggest that White was guilty of nepotism, it has been shown earlier in the chapter that familial connections were not necessarily frowned upon when appointments to police forces were being made. However, *The Police Review* did not miss an opportunity to highlight any suspicion of favouritism and Dunne was accused of preferential treatment when he appointed his son to an inspector's post in Whitehaven, although he was only '21 or 22' years of age. The report stated that since Dunne had started out as 'a common policeman' his son should also have worked his way through the ranks and 'not be pitchforked over other men', whose promotion had been the result of hard work. The account of this apparent injustice concluded with the information that 'the subject 'was arousing 'a lot of talk' and Dunne 'ought to let the public know the why and wherefore of the matter'.⁷⁰ This was hardly unexpected, considering that there had been an uneasy relationship between Dunne and Whitehaven since he entered office in 1857.⁷¹

Dunne and Moorsom differed from White and the other three Chief Constables because they were influential on the national policing scene. The subject which brought Dunne to prominence was cattle disease. He was commended for developing strategies to eradicate it from the Lake Counties on repeated occasions and he achieved national recognition through a weekly column in *The Times* which provided updates on the situation across the country. In connection with his work in this field he became interested in the causes of tuberculosis and when he was about 80 years old he wrote to *The Times* with suggestions about how the disease might be prevented.⁷² Dunne was also in communication with the Board of Agriculture about the cause of Anthrax. He obviously read widely on the topic, quoting from academic sources and documenting experiences in different counties.⁷³ He was also instrumental, with other chief constables and outside organisations in imposing a stricter and more uniform system for the control of

⁷⁰ *Police Review and Parade Gossip*, 11th September 1996, p. 443.

⁷¹ See J. Leigh, 'Nineteenth-Century Policing in Rural Cumberland and Westmorland, with Special Reference to the Implementation of the 1856 County and Borough Police Act, unpublished M.A. Dissertation, Lancaster University, 2007, pp. 39-41.

⁷² *The Times*, 26th December 1898, p. 4.

⁷³ C.R.O., Westmorland SJC Papers, Communication between Dunne and the Board of Agriculture, September 1896.

vagrancy.⁷⁴ Moorson, like Dunne, tried to influence Government policy on the control of animal disease. His project was the prevention of rabies. In October 1895, Moorsom reported to his Standing Joint Committee that although muzzling orders had been issued five months previously in a number of districts, 25 rabid dogs had been discovered since that time, 13 people had been bitten and two had died from rabies.⁷⁵ Therefore the SJC approved his approach to the Government to request the implementation of nationwide legislation for the muzzling of dogs. However his request was refused because it was felt that the areas which were free from the disease would not cooperate. He was advised to persist in his attempts to impose local controls.⁷⁶

Moorsom was more preoccupied than Dunne with issues that pertained directly to day to day policing. The reason for this lay in the great differences between the counties in which the two men were stationed. The pace of change and the scale of potential and actual unrest in Lancashire compared with those in Cumberland and Westmorland will be discussed later in this chapter and in other sections of the thesis. Suffice it to say here that Moorsom was heavily involved in the suppression of frequent industrial disorder and frequent redeployment of the Lancashire police, resulting from a constantly shifting landscape of boroughs which established their own police forces and cities which extended their boundaries. Furthermore, like Dunne he was a significant figure on the national policing scene, particularly playing an important part in developing and amending the legislation concerned with a proper superannuation system and with riot control. In Chapter Five the part that they played during a period of strikes and disturbances will be outlined. All told, the accounts of Dunne's and Moorsom's time in office do not fit Wall's stereotype of the life of nineteenth-century county chief constables as so 'relaxed' that they had the time to partake in the typical leisure pursuits of county society on a regular basis.⁷⁷

⁷⁴ G. Woolnough, 'Policing Vagrancy in South Westmorland in the Nineteenth Century, unpublished MA dissertation, University of Lancaster, 2008.

⁷⁵ Lancaster University Library (L.U.L.), Proceedings 1895, Letter from Moorsom to SJC, 16th October 1895.

⁷⁶ L.U.L., Proceedings 1895, Letter from Secretary of the Board of Agriculture to Moorsom passed to SJC, 15th February 1896.

⁷⁷ Wall, *Chief Constables*, p. 115.

Due to lack of evidence a less distinct impression of the other three office holders emerged. When Eden was appointed, *The Police Review* wrote spoke glowingly of him, applauding his impartiality and the fact that ‘every man’ who had ‘a legitimate complaint’ found that he ‘was ready to listen to him and to right a wrong should it be proved to exist’.⁷⁸ Other aspects of his character will emerge in later chapters where the problems that he encountered during his time as Chief Constable of Durham will be reviewed. Morant and Parry were appointed towards the end of the period of this study and most of the information about their characters was related to the time before they became chief constables. It has already been shown that when Morant was applying for chief constable posts he was highly regarded and the authorities in South Shields were so keen to retain his services that they raised his salary. One of his less attractive traits was the ambition that drove him to apply for a more prestigious position when he had committed to remain in South Shields. Parry’s competence as he progressed through the ranks was noted in the summary of his career and when he was a superintendent in Monmouth he was praised for his bravery in going out to a shipwreck to remove the sailors’ bodies from the vessel.⁷⁹ However, in 1910 he was unflatteringly described as an ‘upstarting autocrat of the north’ for insisting that members of the Cumberland and Westmorland force must attend a church service on a Sunday.⁸⁰

Cumberland and Westmorland, Lancashire, Durham

It is important to consider how far the nature of the chief constable’s job was affected by the problems created by the progress of industrialisation in his county. In 1887, Bartholomew’s Gazetteer summarised the economic advantages of the four counties thus: Lancashire had ‘immense cotton manufactures’; Durham had ‘the most important coalfields in the kingdom’; in Cumberland, coal and iron were ‘extensively worked in the west’; in Westmorland, ‘the only manufactures of any consequence’ were ‘the coarse woollens of Kendal’.⁸¹

⁷⁸ *Police Review and Parade Gossip*, 26th April 1895, p. 199.

⁷⁹ *Western Mail*, 16th February 1899, p. 5.

⁸⁰ *Penny Illustrated Paper*, 12th November 1910, p. 622.

⁸¹ J. Bartholomew, *Bartholomew’s Gazetteer of the British Isles* (London, Collins, 1887).

When Henry Moorsom was appointed to the post of Chief Constable of Lancashire in 1880 the scale of policing needs in the county dwarfed that in other parts of the region. Early and continuing industrial development in Lancashire resulted in a larger increase in population than elsewhere. During the period 1801-1851, when the population of England and Wales had doubled, the population of Lancashire and Cheshire had increased by 185 per cent and that of Lancashire’s cotton manufacturing district had more than trebled.⁸² Although the pace of increase slowed in Lancashire during the second half of the century, the county’s population had doubled to well over 4,000,000 by 1900.⁸³

TABLE 2 Population policed by four county constabularies in 1881 and 1891

Year	Lancashire	Durham	Cumberland/Westmorland	West Riding
1881	1,649,662	609,913	265,252	1,145,600
1891	1,561, 428	685,007	279, 042	1,176,557

Sources: P.P., 1882, xxxlll.1, Reports of Inspectors of Constabulary for the year ending 29th September 1881 p. 158; P.P., 1892, xl.1, xxx Reports of Inspectors of Constabulary for the year ending 29th September 1891, p. 133.

Table 2 shows an interesting situation. The population policed by the Lancashire force had actually shrunk in the previous decade whereas the population policed by the other four counties had increased and the population policed by the West Riding was larger than that of Lancashire. The reason for this is the large number of boroughs in Lancashire which had established their own forces and by so doing had removed their population from the tally. The rapidly increasing population of Lancashire led to the county’s remarkable growth of urbanisation ‘on an altogether

⁸² J.T. Dawson and T.A. Welton, ‘On the Population of Lancashire and Cheshire and its Local Distribution During the Fifty Years 1801-1851’, *Transactions of the Historic Society of Lancashire and Cheshire*, 11 (1858-9) p.31.
⁸³ J.K. Walton, ‘The North-West’, in F.M.L.Thompson, *The Cambridge Social History of Britain, Volume 1, Regions and Communities* (Cambridge, Cambridge University Press, 1996), p. 386

novel scale and pattern'.⁸⁴ Manchester, the country's first industrialised city, grew rapidly as the centre of the cotton industry and in 1881 had a population of 341,508 with its own police force of 840. In the same year, Liverpool, whose growth in the second half of the century resulted from continuing immigration and the employment associated with its position as a transport hub, had a population of 548,649 and a police force of 801.⁸⁵ In 1881, 14 of the other 22 Lancashire boroughs had their own police forces and 10 years later when 6 more towns had been incorporated the number had risen to 21.⁸⁶ The problems associated with this 'unparalleled' level of urbanisation (mentioned earlier in the chapter) which would plague the county until a few years after Moorsom retired in 1909 would continue to make life difficult for him.⁸⁷

The slower rate of population growth in Durham was inextricably linked with the pace of change in coal mining which was the chief industry of the north east. Until 1830 most of the county's coalfield was still situated in rural surroundings and agriculture continued to be the biggest employer. However, in his overview of population changes in nineteenth-century Northumberland and Durham Arthur Smailes described what happened in the next two decades as 'a veritable revolution'.⁸⁸ By 1850 the population had grown to nearly 500,000, as immigrants flocked into the county to work in the new mines which were dug to meet the rocketing demand for household coal. Although the Midlands coalfield began to replace Durham as the main producer of coal for domestic use, the population continued to grow rapidly between 1850 and 1880 as coking, steam and gas coal fuelled the development of shipbuilding and other industries.⁸⁹ Urbanisation, with its concomitant problems for policing boroughs and counties occurred more gradually than in Lancashire. In fact between 1881 and 1991, only one new borough was added to the existing seven, five of which were responsible for their own policing. This was created when Hartlepool was divided into two centres of administration. East Hartlepool retained the former borough police

⁸⁴ Walton, 'North-West', p. 361.

⁸⁵ P.P., 1882, Reports of Inspectors, pp. 128-212.

⁸⁶ P.P., 1892, xl.1, Reports of the Inspectors of Constabulary, for the year ending 30th September 1891.

⁸⁷ Walton, 'North-West', p. 386.

⁸⁸ A. Smailes, 'Population Changes in the Colliery Districts of Northumberland and Durham', *Geographical Journal*, 91, 3 (March 1938), p. 223.

⁸⁹ Smailes, 'Population Changes', p.224

force and the county constabulary assumed responsibility for West Hartlepool.⁹⁰ The existing Durham boroughs expanded to accommodate many of the new immigrants, but the settlements which were associated with the opening up of mines were usually sprawling villages rather than urban communities.

Although the changing shape and structure of the economy during the nineteenth and early twentieth century transformed many parts of the Lake Counties, the industrial change which came later than in some other northern counties was unevenly spread in pockets across Cumberland and Westmorland. This situation was mainly due to the geography of the region and to the scattered locations of mineral deposits. John Marshall stated that as a result most of the population of the Lake Counties by 1881 was 'crammed into a peripheral or coastal strip' of Cumberland, where 'nearly 60 per cent of the population' lived and worked in '17 per cent of the acreage.' The overall population of Cumberland (where most of the industries of the two Lake Counties were situated) was considerably larger than that of Westmorland, but showed only a modest growth from 166 persons per acre in 1851 to 214 in 1881, as against growth of 301-513 in Lancashire and 262-581 in Durham.⁹¹ These figures suggest that the policing needs which were usually associated with industrialisation would have been fewer in Cumbria than in some adjoining counties.

However, although John Marshall largely concurred with this conclusion, he argued that the situation was less clear cut. He maintained that the apparent slowness of Cumberland's population increase and the even more gradual change in Westmorland of 143 to 155 persons per acre were partly due to the unusually high rate of out-migration from the two counties which could mask 'rapid industrialisation' and crime problems in 'given localities'.⁹² Furthermore, the loss of Cumbrian born residents through out-migration in the mid to late-nineteenth century was not significantly and rapidly offset by in-migration. Incomers in search of work, particularly of Scottish and Irish descent, had been making a modest, but steady addition to the population since early in the nineteenth century. Therefore, despite the fact that there were individual years later in the

⁹⁰ P.P., 1892, xl.1, Reports of the Inspectors of Constabulary, for the year ending 29th September 1891, pp. 126-132.

⁹¹ J. Marshall and J. Walton, *The Lake Counties from 1830 to the mid-twentieth century* (Manchester, Manchester University Press, 1981), p. 22.

⁹² Marshall and Walton, *Lake Counties*, p. 19.

nineteenth century when larger numbers of people settled in the region, the in-migration was generally of a more long term and gradual nature.⁹³

The pace of urbanisation in Cumberland and Westmorland lagged behind Durham and paled into insignificance when compared with that of Lancashire. Borough status was awarded to Workington between 1881 and 1891 but policing provision in the two counties remained unchanged with only Kendal and Carlisle retaining their own forces.⁹⁴ An indication that the two boroughs would be unlikely to give up their autonomy in policing matters had been demonstrated shortly after Dunne's appointment to the chief constableness of Cumberland and Westmorland, when he had received a frosty response to his suggestion that the police of Carlisle and Kendal should be assimilated into the county constabulary. In his first letter to HMIC Woodford, Dunne had informed him that the two boroughs 'showed a strong disposition to repudiate having anything to do with the County Constabulary'.⁹⁵

Crime statistics for the four counties need to be considered in the context of these differences in the growth and distribution of population. It is generally accepted that crime decreased nationally between 1860 and 1914, although the issue of falling crime figures has been the subject of considerable debate. In his analysis of the nineteenth-century criminal justice system, V.A.C. Gatrell commented that this pattern of decreasing crime countered the widely held view that 'recorded crime' inevitably increased during a period of 'demographic, urban and economic growth'.⁹⁶ In addition, he submitted that there was strong evidence for a 'peculiar if transient advantage' having been established by the police 'over ancient forms of lawlessness visible on the streets'.⁹⁷

A comparison of the declining rates of indictable crime in the four counties which were mostly in line with this trend, throws up some surprising results. Between 1882 and 1892, reported crime in Lancashire fell by nearly 49 per cent and in Durham by 43 per cent. These results are

⁹³ Marshall and Walton, *Lake Counties*, p. 85.

⁹⁴ P.P., 1892, xl.1, Reports of Inspectors, pp. 117-119.

⁹⁵ C.R.O., SCONS /1/2, 1857-1860, chief constable's letter book, 1857-1860.

⁹⁶ V.A.C. Gatrell, 'Crime, authority and the policeman-state' in F.M.L. Thompson (ed.), *The Cambridge Social History of Britain 1750-1950* (Cambridge, Cambridge University Press, 1990), pp. 290-291.

⁹⁷ Gatrell, 'Crime', p. 291.

similar to a decrease in the West Riding of 48 per cent. In contrast, the decrease in Westmorland and Cumberland where the incidence of reported crime was in any case considerably lower was 9 per cent. This divergence from the norm might be explained by the more 'long term' and 'gradual' pattern of immigration into the lake counties and the problems that were created by the gravitation of most incomers to the iron working and coal mining districts in the west, where there were ongoing problems for the police in controlling turbulent communities.

In a paper on crime and policing in nineteenth-century Cumbria, Marshall had concurred with those who maintained that the national judicial returns presented a misleading impression of the incidence of crime in any locality, since the totals were 'calculated only from the number of those indicted and punished at the Sessions and Assizes', and excluded much other criminal activity which was summarily dealt with. He recognised that in this respect the method of assessing crime totals for Cumbria was no different from that in other counties. On the other hand, he argued that additional local 'factors' could have been partly responsible for the low incidence of reported crime in the two counties: 'the widespread diffusion of property; higher wages than were common; the close relationship of master and servant on the farm.'⁹⁸ In fact, research in the Quarter Sessions records of Cumberland and Westmorland has revealed that although Cumbria had experienced few serious outbreaks of the disorder that occurred elsewhere in the northern counties in the years leading up to 1856, it had been necessary for the magistrates of both counties to have recourse to the 1840 County Police Act to appoint small forces in districts where there problems with law and order.⁹⁹ However, even in the second half of the century any serious disturbances related to 'specific localities' and 'the region as a whole was distinctly law-abiding' in comparison with Lancashire and Durham. The differing law and order needs of the two counties continued. Owing to the industrial landscape and diverse population of Cumberland regular small increases in police numbers continued in that county whereas

⁹⁸ J. Marshall, 'some aspects of the social history of 19th-century Cumbria: (11) crime, police, morals and the countryman', *CWAAS*, 1X1X (1969), p.221.

⁹⁹ For more detail about the increasing need for more police in the two counties see J. Leigh, 'Nineteenth-Century Policing in Rural Westmorland and Cumberland with Special Reference to the Implementation of the 1856 County and Borough Police Act', unpublished MA dissertation, University of Lancaster, 2006, pp. 20-27.

Westmorland, which had considerably fewer problems ‘was one of the most lightly policed areas of England’.¹⁰⁰

Conclusion

The survey of the origins and careers of the County Chief Constables who served in four northern counties from 1880 to 1905 proved that this small sample of six office-holders did not entirely fit the stereotype that Wall and others have portrayed. There is no question that three of them came from privileged backgrounds and in the case of Moorsom and Eden aristocratic connections could be traced. The antecedents of Morant and Dunne are intriguing. In the case of Morant, social mobility might have elevated his family to the gentry had his father survived into old age, although there is nothing to suggest that they would have acquired the independent means which was usually a prerequisite for gentility. Dunne might have come from humble beginnings, but even if he was a scion of the noble Irish family of O’ Dunne, as he claimed in later life, he began his police career as a constable and only gradually achieved acceptability in upper class county society. Considering the links between the gentry and officer ranks in the forces, it is unsurprising that three of these men had military careers before joining the police. Dunne, Morant and Parry did not serve as officers in the army which was unusual for county chief constables. However, the lack of the necessary family background would have prevented Dunne and Morant from taking up that option and the fact that Parry could look forward to quick promotion in the police explains his career choice. Findings about the temperaments and attitudes of the three longest-serving Chief Constables revealed that Dunne and Moorsom were very capable managers and were involved in the wider sphere of policing.

An assessment of the conditions in the four counties where the six men served has shown that factors such as the prevailing type of local economy and the contrasting rate of industrial development might have affected the demands that were made of the Chief Constables and their forces. Since industrial development was more extensive in Lancashire than in the other counties it might be expected to experience more strikes and disturbances. Further ways in which the concerns and policies of each Chief Constable were shaped by the current demands of their respective

¹⁰⁰ Marshall and Walton, *Lake Counties*, p. 99.

counties will be illustrated in subsequent chapters where relationships between the Chief Constables, supervising bodies and others will be explored.

Chapter Three Magistrates' Governance of County Chief Constables

This chapter introduces an argument which is central to the thesis - that a county chief constable's liberty to manage his force as he thought appropriate largely depended on the kinds of relationships that he enjoyed with his superiors and others. Exploration of how the position of the post holders was affected by their contacts with the magistracy plays an important part in this investigation, since to a varying degree county chief constables were dependent on the goodwill of the county justices during the 25 years under consideration. This was especially the case from 1880 to 1888, the final years of the Quarter Sessions' supervision of the county police. Analysis of secondary sources in Chapter One revealed the magistracy's concerns about the diminution of their authority in rural areas with the implementation of the 1839 County Police Act and even some suspicion of the newly appointed chief constables. In this chapter, the later relationship between them will be put under the spotlight.

This inquiry will open with some general observations on the situation in the years following the creation of the office of county chief constable. Then the experiences of post holders during the 1880s will be explored from two perspectives: situations where their authority was undermined by the intervention of the Quarter Sessions; circumstances where chief constables faced criticism, opposition or hostility from other groups or individuals, but no involvement from the magistracy. In the final section, attention will switch to the possible effects of the change in the governance of the county police from 1889 on chief constables' association with the magistracy and any further implications for their autonomy will be highlighted. The main questions that will be addressed in the chapter will focus on the character of any opposition towards chief constables, its extent and possible long term effects on their authority.

Cooperation between Quarter Sessions and Chief Constables after the 1839 County Police Act

Wall contended that although Quarter Sessions had exerted some control over chief constables when county forces were being set up, they rarely resorted to it afterwards. In his opinion, the main reason for the Quarter Sessions' hands off approach was that chief constables and justices shared a

‘similar outlook’.¹ In like manner, Lustgarten commented that chief constables as ‘men of social standing equal to the justices themselves could not be treated as menials and conversely could be assumed to be reliable’.² Jerrard maintained that it was the ‘increasing professionalism’ of the county force that vested in Admiral Christian, the Chief Constable of Gloucestershire, ‘a certain authority in tendering advice upon which the Justices almost invariably acted’.³ In a similar vein F.M.L. Thompson commented that a county police had ‘the same tendency to establish an autonomous code of conduct and a degree of control over their nominal masters’ that began to be ‘exhibited by all bodies of permanent and professional public servants.’⁴ There can be no quarrel with these generalisations, which maintained that the relationship between county chief constables and magistrates often prospered because they shared a common background and because the increasing competence and sophistication of county policing earned the respect of the magistracy.

However, this was not the whole picture since relations were not always so amicable, even in the early years of county policing. The main problem was the cost of the new forces which led some Quarter Sessions to impose a tight budget on police expenditure, thus alienating their chief constables. For example, in his survey of policing in the Black Country during this period, Philips drew attention to the way in which Chief Constable John Hatton’s ‘methods and freedom of operation’ in Staffordshire were restricted by the magistrates’ attempts to keep the police rate as low as possible. A strained relationship between Quarter Sessions and Chief Constable could not be avoided when Hatton, having finally obtained an increase in numbers and a pay rise for the force in 1846 was rewarded a few years later with a pay cut to his own salary.⁵

In some counties concerns about whether county police forces were giving value for money led to calls in Quarter Sessions for their abolition. In Lancashire, South Lonsdale Justices who had been at the forefront of those who had originally pressed for the establishment of the force now wanted it to be disbanded. Although the required majority for this move was not obtained, police numbers

¹ Wall, *Chief Constables*, p. 91.

² Lustgarten, *Governance of the Police*, p. 46.

³ Jerrard, ‘Gloucestershire Police’, p. 165.

⁴ F.M.L. Thompson, *English Landed Society in the Nineteenth Century* (London: Routledge and Kegan Paul, 1963), p.289.

⁵ D. Philips, *Crime and Authority in Victorian England: the Black Country 1835-1860* (London: Croom Helm, 1977), p. 77.

were reduced from 502 to 355. This left the Chief Constable, John Woodford struggling to contain frequent outbreaks of violence in a climate of continuing hostility towards the police in situations with considerably fewer men (referred to in Chapter One).⁶ A similar attempt in Worcestershire included a personal attack on Chief Constable Harris when one Magistrate accused him of 'inefficiency' and claimed that his quarterly reports were 'not worth the paper on which they were written'.⁷ Despite the dissatisfaction that was voiced by a number of Quarter Sessions, all the county forces survived because in no case was the 75 per cent majority needed for their abolition achieved. Nevertheless this kind of reaction on the part of some justices had the potential to destabilise the new constabularies and to threaten the authority of the recently appointed chief constables.

Notwithstanding the uneasy association that existed between Quarter Sessions and chief constables in Lancashire, Staffordshire and other counties, it is unlikely that the pessimistic scenario described by a correspondent to *The Times* in 1853 was widespread. He argued that when chief constables found it necessary to ask Quarter Sessions for an increase in police numbers to combat rising crime they could be 'entirely at the mercy of the magistrates' who had the power to dismiss them. He maintained that Quarter Sessions were likely to ignore such requests even when they had been shown evidence by a chief constable of 'the unprotected state of his district, compared with others'. Rather than making a dispassionate appraisal of the situation they would blame the chief constable for any problems, even though he was acting in the way which was 'most conducive to the public interest'.⁸ Jerrard associated the commencement of a shift in the balance of power between Quarter Sessions and county chief constables with the implementation of the 1856 Borough and County Police Act, which introduced the government subvention for police forces.⁹ This met one quarter of the annual cost of a police force but was dependent on a favourable report on efficiency from HM Inspector of Constabulary whose assessment was primarily based on the balance of police to population and was often accompanied by a recommendation for an increase to the force. Therefore, county magistrates were now more likely to give due regard to chief constables'

⁶ E. Midwinter, *Law and Order in Early Victorian Lancashire* (York: St. Anthony's Press, 1968), pp. 17-18, Chapter One, pp. 22-23.

⁷ *The Times*, 29th June 1843, p. 8.

⁸ *The Times*, 13th December 1853, p. 5.

⁹ Jerrard, 'Gloucestershire Police', p. 165.

applications for additions to police numbers. However, it is probable that in some counties Quarter Sessions were more influenced by the 'carrot' of the subvention when it was increased to cover half of the annual policing costs in 1873.

By the 1880s, Chief Constable Moorsom of Lancashire and Chief Constable Dunne of Cumberland and Westmorland had established a satisfactory accord with their Quarter Sessions about necessary increases to their forces. The conditions in these very different counties were addressed in Chapter Two: widespread industrial development in Lancashire which continued to cause a rapid rise in the population and periodic disorder; overcrowded ethnically mixed pockets of industrial activity in west Cumberland where there was the potential for sporadic but violent disturbances. In Westmorland which was usually peaceable there were few calls for extra police. Only on one occasion did Lancashire Quarter Sessions express some doubt about the size of an increase requested by Moorsom. That was in September 1881 when his requirement of 118 men 'occasioned surprise'.¹⁰ His explanation for this request of a larger than expected increase was that the restraint which had been exercised in the previous two years in his applications to the Constabulary Committee had now led to the necessity for a substantial addition. During the two years the county superintendents had asked for bigger increases than he and the petty sessions magistrates had 'thought it expedient to recommend', bearing in mind 'the small margin allowed by the Population Tables then in force' and the 'depression of trade'. On this occasion the Quarter Sessions accepted Moorsom's explanation and consented to the increase.¹¹ Nevertheless, the Home Office, while approving the addition to the force, stated that it would have to be 'sufficient to meet the requirements of the county for some years to come' and that it would sanction any similar application only 'under very exceptional circumstances'.¹² Interestingly, when Moorsom made the case for 31 more officers six months later, the Annual Sessions accepted the Police Committee's argument that despite the 'remarks by the Home Secretary' in the previous December, the call for 'restraint' was 'not applicable' to Lancashire where the 'rapid growth of the population' brought

¹⁰ Lancaster Record Office (L.R.O.), QEC/2, Constabulary Committee Minutes, Report to Quarter Sessions, 8th September 1881.

¹¹ L.R.O., QEC/2, Minutes, Report, 8th September 1881.

¹² L.R.O., QEC/2, Constabulary Committee Minutes, Correspondence from Home Office, December 1881.

with it 'a proportionate amount of disorder and crime'.¹³ Within weeks, the Home Office had approved the new increase, without any stipulation about the scale of future additions.¹⁴ Moreover, there is no indication in the minutes of Lancashire SJC that the Home Office refused any further requests for additions to the county force in the years leading up to the establishment of the new system of supervision in 1889. The reason for the Home Office's change of heart is unstated but it seems likely that it stemmed from the pressure that could have been exerted by Lancashire MPs and large numbers of powerful local businessmen.

In Cumberland, Chief Constable Dunne received similar support from the Constabulary Committee in July 1884, when he petitioned for an increase in the joint force, after an incident in Cleator Moor when a Catholic crowd stoned a march of Orangemen who had retaliated with loaded revolvers.¹⁵ One young man was killed and 50 other people were injured. Over successive weeks, *The Guardian* and *The Times* covered the aftermath of the violence. In September, dramatic headlines reported a dynamite attack on the house of a Cleator Moor mine manager.¹⁶ This was followed by the attempted murder of a local policeman.¹⁷ Dunne, who had sent 13 constables to Cleator Moor to support the local police, argued that recent events made an increase to the force 'absolutely necessary' and Cumberland Quarter Sessions acceded to his request for the addition.¹⁸

When approval from the Home Office had not been received by April of the following year, the urgency of the matter was stressed.¹⁹ In May, a communication from the Home Secretary stated that there could be no 'augmentations for which the treasury allowance was allocated' until October, when HM Inspector had submitted his annual report. Despite the best efforts of Mr Wyndham, the Chairman of Quarter Sessions and other Cumberland magistrates, sanction for seven extra men was not obtained until the end of the year.²⁰ If there had been an immediate need for assistance, Quarter Sessions could have called in temporary military aid. However, it appears that they regarded the problems as ongoing and preferred a permanent solution. Although the situation

¹³ L.R.O., QEC/2, Constabulary Committee Minutes, Report to Annual Sessions, July 1882.

¹⁴ L.R.O., QEC/2, Constabulary Committee Minutes, Correspondence from Home Office, October 1882.

¹⁵ Marshall and Walton, *Lake Counties*, p. 99.

¹⁶ *Manchester Guardian*, 2nd September 1884, p. 5, *The Times*, 2nd September 1884, p. 12.

¹⁷ *Manchester Guardian*, 29th October 1884, p. 8.

¹⁸ C.R.O., CC1/27/1 Cumberland Police Committee Minute Books, 8th September 1884.

¹⁹ C.R.O., CC1/27/1 Cumberland Police Committee Minute Books, April 1885.

²⁰ C.R.O., CC1/27/1 Cumberland Police Committee Minute Books, May 1885.

in west Cumberland paled into insignificance compared with the frequent and wide ranging problems that were encountered by the Lancashire police, in each case the county justices were prepared to argue the case for extra manpower on behalf of the Chief Constables. Nevertheless, Dunne's failure to gain a positive response to a request which he had deemed to be 'urgent' demonstrates that the Home Office could, and on occasions did assert control over a chief constable's management of his force, despite strong advocacy on the part of Quarter Sessions.

Uneasy relationships between County Chief Constables and Magistrates 1880-1888

Disputes between county chief constables and Quarter Sessions at this stage were unusual, but not unknown. There appears to have been only one major example of a breakdown in communications between a chief constable and his county bench and even in that instance there were no long term effects on the authority of the Chief Constable. It involved an investigation which was initiated by the Northumberland Police Committee into the conduct of the Chief Constable, Major-General George Allgood in 1882.²¹ The unique circumstances of this case deserve a full examination. First public mention of the situation occurred in a local press report of the Epiphany Quarter Sessions.²² The fact that the affair was also covered in at least five other national and local newspapers, albeit in an identical format, suggests that such open criticism of a county chief constable was an unusual occurrence. The account stated that when the Chairman of the Police Committee began to read a report in the meeting about 'some particular questions relating to the Chief Constable', Allgood interrupted him. He protested about the presence of reporters on the grounds that it would not be 'well' that the police force should know that 'his conduct was being questioned'. At this stage the details of any dissatisfaction with Allgood's governance of the police were not revealed. After discussion it was decided that 'further investigations into all matters connected with the police force' should be mounted and that a full report would be considered at their next meeting.²³ A further postponement occurred in March, because Allgood had not had an opportunity to read the

²¹ Allgood was appointed as Chief Constable of Northumberland in 1869 on the early retirement of his predecessor, Alexander Browne. Although he remained in office until 1886 Browne had predicted his resignation some years before his problems in 1882, reporting to Henry Smith that there was likely to be a vacancy in Northumberland, since Allgood's health had 'completely broken down' and that he wouldn't 'last long' H. Smith, *From Constable to Commissioner* (London: Edward Arnold, 1910), p. 82, in Wall, pp. 113-114.

²² *Newcastle Courant*, 3rd February 1882, p.8

²³ *Newcastle Courant*, 3rd February 1882, p. 8.

completed report.²⁴ Eventually, at the Easter Sessions, the Clerk of the Peace read the report to the assembled justices.

The Police Committee's main criticism of Allgood was that he did not 'generally exercise' the sort of 'personal supervision' that was necessary for the management of his 'scattered' force.

Symptomatic of his failure to exercise this 'personal supervision' was the way in which men were dismissed 'merely by written order', without being given any 'opportunity' to present an explanation to the Chief Constable. It was also stated that Allgood played no part in reprimanding members of the force, this responsibility being delegated to the superintendents of the various districts.²⁵ A major deficiency in the eyes of the Police Committee was Allgood's 'non-attendance' at petty sessions which was considered to be 'a serious detriment to the efficiency of the force'. It was alleged that this 'non-attendance' had been 'a subject of remark by magistrates in many districts'. In addition, it was felt that Allgood's residence in the west of the county which was not served by rail transport had been 'a very great barrier to his effective supervision of police matters'. These complaints of Allgood's shortcomings were compounded by his failure to attend a meeting of the Police Committee and his comment in a letter to the Clerk of the Peace that 'he had no personal representation to make to the Police Committee on any of the matters involved in the pending inquiry'.²⁶ In conclusion, the report suggested that the Committee was faced with two courses of action: to recommend to the Court that rules should be established 'for the guidance of the Chief Constable in the performance of his duties' or to ask him to resign. Mr Watson Askew, the Chairman of the Police Committee moved the adoption of the Report.²⁷

In his defence, Allgood addressed the charges which had been made against him. 'With regard to discipline' he claimed that he had made 70 visits to police stations in the previous year and he argued that his method of communicating disciplinary decisions to members of the constabulary in writing was preferable since 'he could not examine upon oath'. Furthermore, far from refusing to attend petty sessions in the county, he maintained that he had visited the petty sessional divisions

²⁴ *Newcastle Courant*, 3rd March 1882, p. 8.

²⁵ *Newcastle Courant*, 7th April 1882, p. 5.

²⁶ *Newcastle Courant*, 7th April 1882, p. 5.

²⁷ *Newcastle Courant*, 7th April 1882, p. 5.

on 26 occasions.²⁸ On the matter of his non attendance at the Police Committee meeting, he insisted that if he had been aware that the Bench had required his attendance he would have been present. In support of his case, he quoted from a recent letter from HM Inspector Legge who had restated his opinion from the last inspection that the Northumberland force was being efficiently run. In conclusion, he claimed that 'he had tried to do his duty towards the county and the police' in the 'twelve years and a half' since he had been appointed. If however he had 'lost the confidence of the Bench' he realised that it was his duty to resign.²⁹

One of the Justices who spoke on behalf of the Chief Constable found it 'incredible' that a man who had held such a 'responsible' post and who had 'gained such honour in the service of Her Majesty' should be considered 'incompetent to direct a police force numbering only 184 men'. Accordingly, Mr Wallis moved an amendment to the effect that the Bench did not consider the charges which had been brought against Allgood were serious enough to merit any interference on their part. However, the amendment was defeated and the motion was carried. Accordingly, it was agreed that the Rules which were to be framed 'for the conduct of the Chief Constable' would be introduced at the next Sessions.³⁰ The Police Committee appears to have dragged its feet in drawing up the rules and at the June Quarter Sessions Allgood complained that the delay had placed him 'in a most humiliating position', so much so that he demanded the withdrawal of the charge against him. The Chairman replied that such action could not be taken without prior notice and Askew announced that the Rules which had been completed would be circulated to the Chief Constable and the Committee before the next Sessions. Major Waddilove gave notice that at the following meeting he would move a resolution to lift the charges against Allwood.³¹

At long last the Northumberland Police Committee presented the nine rules which they believed would contribute towards 'the better discipline and greater efficiency' of the county police force. The first two required the Chief Constable's 'regular attendance' at head office, where 'all orders and correspondence' issued should bear his signature. Rules 3 and 4 concerned complaints against the police by the public and by officers in the force. In these cases Allgood should 'immediately'

²⁸ *Newcastle Courant*, 7th April 1882, p. 5.

²⁹ *Newcastle Courant*, 7th April 1882, p. 5.

³⁰ *Newcastle Courant*, 7th April 1882, p. 5.

³¹ *Newcastle Courant*, 2nd June 1882, p. 8.

investigate the complaint and if necessary interview the people involved. Rule 5 ordered him to ensure that 'all cases of grave offences or serious crime' were reported to him 'without delay'. Rules 6 and 7 stipulated that he should visit all the petty sessions and police stations at least twice a year and Rule 8 directed him to order that all reports made by officers and constables be sent to his office as quickly as possible. Lastly, at each Quarter Sessions he would be required to present details of all the 'duty visits' that he had made since the last meeting.³² The Clerk then communicated Allgood's response to the Rules. He stated that 1,2,4,5 and 8 were unacceptable since they were 'disciplinary' and 'bearing on the government of the 'force'. Therefore they were not 'in accordance' with 2 & 3 Vic. Cap. 93, Sec. 6, in the 1839 County Police Act, under which chief constables were made responsible for the appointment, dismissal, general disposition and government of the county police. However, he was prepared to accept Rules 3, 6, 7 and 9. In conclusion, he gave notice that if the Bench's view of the 'discipline and efficiency' of the constabulary was 'at variance with that of the Government Inspector' he would resign.³³

In his reference to the 1839 Rural Constabulary Act which devolved the day-to-day running of the force to the chief constable, Allgood had neglected to mention the final clause of Section 6, which stated that a chief constable was 'subject' to any 'lawful orders' from the county magistrates and to 'the Rules established for the Government of the Force'.³⁴ This clause had been quoted in disagreements between chief constables and magistrates on several occasions since 1839. For instance in 1849 Denbighshire Quarter Sessions had consulted the Home Office about whether they could require Chief Constable Denman to periodically visit the 'various police districts' under his command.³⁵ Denman had argued that it was better for him to 'remain at home' where he would 'receive reports' from the force and 'make his appearance' only when he was sent for to deal with an 'outrage' that required his 'personal exertion and assistance'. When he had compared notes with other chief constables at their annual dinner, Denman had discovered that 'it was the general rule' not to visit police districts. In response, the Home Secretary, Sir George Grey had supported the Denbighshire justices by drawing attention to the 1839 Act, stating that Denman was compelled to

³² *Newcastle Courant*, 28th June 1882, p. 3.

³³ *Newcastle Courant*, 28th June 1882, p. 3.

³⁴ County Police Act 1839 (2 and 3 Vic c 93)

³⁵ HO 45/2672, Duties of Chief Constables, Correspondence, June 1849.

‘obey the lawful orders of the magistrates’ and that Quarter Sessions could ‘discipline’ him if he refused ‘to do so’.³⁶

It seems likely that this apparent paradox in the wording of the statute was responsible for the compromise that appears to have been reached by the Northumberland Midsummer Quarter Sessions in August. On the one hand, Allgood, ‘bearing in mind the conciliatory remarks’ made by the Chairman at the June Sessions, expressed his willingness to withdraw his previous communication. He was now ready to enact ‘as far as practicable’ the ‘system’ which the ‘proposed rules’ recommended. Therefore he hoped that the justices would see fit not to pass ‘a formal order to enact the rules as formal rules’.³⁷ In response, on behalf of the Police Committee, Watson Askew, the chairman recommended that Allgood’s letter should be accepted. He reiterated that ‘the Committee had never had the smallest personal feeling against General Allgood, always regarding him ‘with feelings of respect and regard’. However, believing that ‘there was a certain laxity of administration in the police force’ the Committee ‘had felt bound to bring the matter before the Bench’.³⁸

This meeting of minds brought to an end the attack on Allgood’s authority and there is no evidence of any further dissatisfaction on the part of the Constabulary Committee. Searches in Home Office files have failed to reveal any references to this matter. Perhaps this is unsurprising, since HM Inspector Legge had reinforced his previous assessment that the Northumberland force was being ‘efficiently’ managed. It is impossible to ascertain the reason for the action taken against the Chief Constable by the Quarter Sessions. After all, since no rules for the conduct of chief constables were in existence it is likely that office holders in other counties could have been guilty of one or more of his alleged shortcomings. However, the question remains: why did a majority of the magistrates vote in favour of establishing rules for Allgood’s governance of the force? One explanation for his treatment could be that justices had seen what they considered to be a more efficient system of governance in operation elsewhere and wanted to replicate it in Northumberland. On the other

³⁶ HO45/2672, Correspondence, June 1849.

³⁷ *Newcastle Courant*, 4th August 1882, p. 8.

³⁸ *Newcastle Courant*, 4th August 1882, p. 8.

hand, the dissatisfaction that was expressed about Allgood's style of management could have stemmed from some entirely unconnected dispute with a county magistrate.

In the 1880s none of the Chief Constables in the four northern counties under consideration faced such a direct confrontation with their Quarter Sessions as Allgood. However, it was only two months after Moorsom's appointment to the Lancashire post in 1880 when he came into conflict with the county magistrates over the appointment of his deputy. At the annual Sessions in September they resolved to apply to Parliament for an act 'to vest in the Justices the appointment of the Deputy Chief Constable'.³⁹ An amendment that the question should be referred to the Constabulary Committee for their comments, moved by Mr W. Anderton and seconded by Mr Hare, was defeated.⁴⁰ Despite this setback, the Committee delegated some of its members to look into the case. Although this seems an unexpected move by the Quarter Sessions, considering the high regard in which Moorsom was held, it was not the only occasion when such a move was contemplated. Emsley referred to a situation in Devon when Justices voiced concerns about the Chief Constable's prerogative to appoint a deputy to stand in for him when necessary, since such an appointment did not require their approval.⁴¹

In his letter to the Constabulary Committee, Moorsom made a strong case in favour of retaining the *status quo*. He argued that to remove the appointment away from the Chief Constable would affect discipline. He contended that the present system worked well, since the Chief Constable would naturally appoint someone 'on whom he could rely to enforce his orders'. He added that since the Lancashire police force was the largest in the country, good discipline was very important and cordial relations between the Chief Constable and his deputy were imperative. He expressed concern that under the proposed system only those who had been, or were 'officers in the Naval, Military, or perhaps in some cases the Police Service, would be eligible for appointment as Deputy Chief Constable'. His opinion here appears to be, not that appointments from these categories should be avoided, but that the selection of suitable candidates from other backgrounds should also

³⁹ L.R.O., QEC/2, Constabulary Committee Minutes, September 1880, Vol. 6, 1879-1884.

⁴⁰ *Preston Guardian*, 11th September 1880, p. 3. Although there is no evidence to prove it, the support that the Constabulary Committee gave to Moorsom at this stage suggests that Anderton and Hare were members of that body.

⁴¹ Emsley, *English Police*, p. 88.

be acceptable. In conclusion, he stated that since the existing system had been 'satisfactory so far' there seemed no reason to change it.⁴² In fact, Moorsom had appointed Captain Charles Allison, the Chief Constable of Wigan to be his Assistant Chief Constable only two months previously.⁴³

Allison served in the post for four years until he was appointed as Chief Constable of Somersetshire.⁴⁴ Having considered Moorsom's letter and the Sub Committee's findings, the Police Committee voted to reject the recommendation of the county magistrates.⁴⁵

Nevertheless, when the county magistrates met in December the proposed alteration in the appointment of future deputy chief constables was raised again. Mr C. Jacson moved that a local bill which was 'intended to put the finances of the county in a better condition' should be presented to the Commons. One of the Bill's provisions was 'the appointment of an assistant chief which would absorb the office of deputy chief constable'. There was no stated opposition to the section of the bill which related to the police appointment and the motion was carried unanimously.⁴⁶ The expression of unanimous support for the Bill from Quarter Sessions seems a strange turn of events. One can only suppose that the Constabulary Committee had been appeased by an assurance that the Chief Constable's authority would not be diminished by the statute, although previously such an outcome had been predicted. In his 1882 Report, HMIC Legge gave some clarification to the situation. He explained that the Act of Parliament which had been passed in the last session made the 'rank of assistant chief constable' a 'legal office' whereas it had previously held 'no statutory authority'. It also carried 'all the powers and privileges attached to 'the post of a deputy'. However, in addition, the Act also differentiated between an 'assistant' and a 'deputy' chief constable by stipulating that the chief constable should not be authorised or required to appoint a deputy under the general Police Acts, save by express direction of the justices'.⁴⁷ Legge described the 'provisions' of the Act as 'advantageous', although whether he was referring to the part about the status of 'assistant' chief constable or a second clause which he also quoted is unclear. That section

⁴² L.R.O., QEC/2, Constabulary Committee Minutes, Correspondence from Chief Constable to Constabulary Committee, September 1880.

⁴³ *Huddersfield Daily Chronicle*, 29th July 1880, p. 4.

⁴⁴ *Leeds Mercury*, 3rd July 1884, p. 8.

⁴⁵ L.R.O., QEC/2, Constabulary Committee Minutes, September 1880.

⁴⁶ *Guardian*, 31st December 1880, p. 6.

⁴⁷ P.P., 1882, xxxlil.1, Reports of the Inspectors of Constabulary, for the year ending 29th September 1881, p.159.

gave powers to compensate for any deficiency in funding ‘allowances and gratuities’ by using the county police rate. There seems to be no indication in Home Office files that any disquiet about the content of the Act was expressed in that quarter.

It appears that Moorsom and the Justices did come to some sort of agreement about a *modus vivendi* for appointing future ‘assistant’ chief constables although there is no record of such accord in Quarter Sessions or Police Committee minutes. Local newspapers apparently did not understand the change in terminology since a press report about the replacement of Captain Allison in 1884 mentions that Moorsom had ‘recommended the appointment of Captain Villiers Ibbotson to be Deputy Chief Constable’. A report stated that the nomination had been ‘approved by the Constabulary Committee’ and would ‘come before the Lancashire Annual Sessions in September’.⁴⁸ What is unclear here is whether this procedure at the Annual Sessions was merely a matter of form as it had been in previous years or whether the magistrates could be more likely in future to countermand Moorsom’s choice. A further explanation of the use of the title ‘assistant chief constable’ appeared in 1909 when the post was advertised due to the elevation of the current office holder to the rank of county chief constable. It was stated that Lancashire was the only county ‘which appointed an “assistant” as against a “deputy” chief constable.’ The use of the title was ‘a privilege enjoyed by Lancashire as the County Palatine under Act of Parliament’.⁴⁹ From the available evidence it is difficult to deduce whether the Lancashire magistrates were actually attempting to curtail the power of the Chief Constable at any stage. There is no doubt that initially Moorsom had believed there was an intention to deprive him of some autonomy. In reality he appears to have retained the authority to choose his deputy, who was in future to be known as his ‘assistant’. Unfortunately, the archives do not reveal the communication between Moorsom, the Constabulary Committee and Quarter Sessions which eventually led to an acceptance of the Lancashire County Justices’ Act.

⁴⁸ *Liverpool Mercury*, 24th July 1884, p.6.

⁴⁹ *Manchester Guardian*, 17th September 1909, p. 6.

A Chief Constable's independence from the Quarter Sessions

Since the Durham Constabulary Committee Minutes for the 1880s have not survived, there is little direct evidence of Chief Constable White's relationship with the magistracy during this period. However, other sources indicate that he was given a free hand to deal with a series of difficult situations. At a Sunderland Council Meeting in November 1881, it emerged that White had refused to send a contingent of the county police during a recent strike in the Sunderland shipyards, although police had been sent from Newcastle, Gateshead, Northumberland, South Shields and North Shields.⁵⁰ It appeared that his refusal might have been connected with an event two years previously. On that occasion, Alderman McKenzie, the chairman of the Sunderland Watch Committee, in the absence of the Mayor had sent 20 policemen from the town to assist in the quelling of a riot at Hetton Colliery in response to a request from White, only for them to be promptly recalled by Samuel Storey a leading Radical Liberal who was Deputy Mayor at the time.

At the Council meeting political divisions soon became apparent when McKenzie commented that if he had been a Liberal he would not have been censured by Storey in the way he was. He believed that White's actions were justified because of the withdrawal of the Sunderland police on the former occasion.⁵¹ However, Councillor Haswell proposed that White's recent conduct should be 'reported' (presumably to the county magistrates) and claimed that although Sunderland contributed towards the county police, they could not obtain their services 'in an emergency.' Moreover, he thought that White had 'constituted himself the master of everybody - including the magistrates'.⁵² In contrast, Councillor Waddle criticised Storey's inconsistency in withdrawing county police from Hetton, but later condoning the stationing of them in the Sunderland shipyards. In further defence of White, Alderman Barnes praised him as 'a man of ability, discretion and experience' and described 'the attacks' which had been made against him 'in his absence' as unfair.⁵³ Storey defended his actions in withdrawing the policemen from Hetton, by accusing Alderman McKenzie of acting 'improperly' when he had dispatched them. He insisted that he was responsible for making the decisions and not McKenzie'. He claimed that he (and he hoped every

⁵⁰ *Northern Echo*, 3rd November 1881, p. 4.

⁵¹ *Northern Echo*, 3rd November 1881, p. 4.

⁵² *Northern Echo*, 3rd November 1881, p. 4.

⁵³ *Northern Echo*, 3rd November 1881, p. 4.

Liberal), was reluctant to use the police and 'to bring them into conflict with people who were a little excited'. He accused White of childish and highhanded behaviour and informed the Councillors that the county magistrates 'had arranged that on any future occasion Colonel White should in plain English do his duty'.⁵⁴

These events in Sunderland provide a snapshot of the way in which Samuel Storey and his Liberal friends would continue to be a thorn in the flesh of White and his successor over the next 15 years. Although this incident highlighted the ongoing personal antagonism between White and Storey, it also demonstrated collaboration between White and McKenzie, the Tory Chairman of the Sunderland Watch Committee. In later chapters White's affiliation with the Tories will become increasingly evident when problems arose with the transfer of police supervision to the Durham Standing Joint Committee. At this stage, despite Storey's assertion that Quarter Sessions were going to dictate White's future conduct, there is no evidence to indicate whether the Durham justices had censured White for his failure to lend troops to Sunderland Town Council or whether in fact they made any attempt to interfere with his subsequent management of the police.

In early 1886, White was taken to task in the press about police assistance for bailiffs (known locally as 'candymen') who were evicting striking miners from colliery property at South Medomsley Colliery. Disturbances had broken out as the 'blacklegs' began to take possession of the recently vacated colliery houses.⁵⁵ On a day at the beginning of February the disorder escalated when a mob of about 300 people 'pelted them with stones and snowballs'. By the time that Superintendent Oliver had arrived from Consett with reinforcements, fighting had broken out between strikers and 'blacklegs', one policeman had been attacked and thrown to the ground and the windows of the police barracks had been broken. The fact that three men who were arrested as ringleaders were from Newcastle, Catchgate and Dipton suggested that the trouble had spread beyond the immediate vicinity of the colliery.⁵⁶ There were differing versions of police involvement and the Chief Constable's responsibility at South Medomsley. In early March allegations that in some of the evictions at the colliery the police had been guilty of 'abuse, threats,

⁵⁴ *Northern Echo*, 3rd November 1881, p. 4.

⁵⁵ *Northern Echo*, 19th January 1886, p. 4.

⁵⁶ *Northern Echo*, 3rd February 1886, p. 3.

assault and damage to goods' appeared in the *Newcastle Chronicle*. The allegations were coupled with a demand that 'the attention of parliament should be immediately called to the matter'.⁵⁷

At this point, White was prompted to write to the Home Office to counter the accusations, pointing out that the *Newcastle Chronicle* was the only paper to have published such 'misleading accounts'. He declared that the tone of their coverage of events was in direct contradiction to statements about the evictions that had been made by police officers at a local ratepayers' meeting the previous week. On that occasion, Inspector Webster had maintained that the strikers had left their homes 'peaceably' and he had insisted that they and their furniture had been given 'immediate shelter'. On the other hand, the police and the bailiffs 'were subjected to hooting and abuse from the crowd of men and women assembled'. Webster had admitted that the evictions had taken place in a snowstorm, but he stressed that no-one had asked for the evictions to be postponed because of the 'inclemency of the weather'.⁵⁸ White also forwarded a letter in which Oliver maintained that the police had been authorised by local Justices to assist at the evictions on 10th March, to the Home Office. Oliver added that Patrick Carling, a representative of the Miners' Association Board had informed him that the strikers were trying to cause as much expense as possible for the county and colliery owners and that he had advised the miners to stay in their houses until they were turned out. White added that on his own visit to the colliery none of the strikers had complained about their treatment.⁵⁹ In contrast, on the 12th March, the *Northern Echo* carried an emotive account of the evictions stating that 'the heartlessness' of the police had aroused 'the greatest indignation' and their conduct had been described as 'most inhuman'.⁶⁰

On the following day the subject of the evictions was raised in the Commons by two Durham MPs, Alfred Pease and John Wilson. They asked if it was true that the county police had helped to evict colliers and their families in a snowstorm, using insulting language and damaging their furniture. Could the Government not prevent their involvement in evictions?⁶¹ Mr Childers, the Home Secretary expressed regret that the evictions had to be conducted in such bad weather owing to the

⁵⁷ *Newcastle Chronicle*, 10th February 1886.

⁵⁸ HO 144/167/A42659, Complaint against Police during eviction of miners in Durham, correspondence, 6th March 1886.

⁵⁹ HO 144/167/A42659, Correspondence, 12th March 1886.

⁶⁰ *Northern Echo*, 11th March 1886, p.4.

⁶¹ *Leeds Mercury*, 12th March 1886, p.7.

miners' refusal to vacate the property but praised the behaviour of the police. He also reminded the House that he had 'no authority over the county police', who were subject to the authority of the justices.⁶² In a further attempt to exonerate himself and his force from any blame, White contacted the Home Office again in the first week in April. He reiterated that he had received no complaints about the conduct of the police. He highlighted the 'forbearance' that had been shown, the large number of strikers who had been brought before the magistrates for law and order offences and the extensive police protection that had been required for the workers.⁶³ He cited a case which had been dealt with at the Quarter Sessions on the previous day which involved the assault and wounding of a workman. Another worrying recent incident had been a 'terrific' explosion near the house of the colliery manager.⁶⁴

Home Office officials concluded that 'the County Chief Constable's reply 'satisfactorily' disposed of the charges that had been made against the police and that the Secretary of State had no power 'to intervene further in a matter' which 'rested with the local authorities'.⁶⁵ This repeated comment that investigations into accusations about the behaviour of a county police force (and by default, the governance of its chief constable) were not the business of the Home Secretary is significant. It implies that the Durham MPs would have been well aware that the correct procedure for complaints against the police was to raise the matter with the Constabulary Committee.

Nevertheless, they had raised the subject in the Commons because they could not depend on a satisfactory response from the Durham Justices who appear to have adopted a 'hands off' approach in relation to White's governance of the Durham police. Furthermore there is no evidence to suggest that White himself referred the matter to the Constabulary Committee although he made repeated efforts in his letters to the Home Secretary to rebut the charges that were brought against the police in the press and the Commons. Presumably, he felt that in view of the wide publicity given to the case he needed to assert his authority by defending the actions of the police at the highest level.

⁶² *Leeds Mercury*, 12th March 1886, p. 7.

⁶³ HO 144/167/A42659, Correspondence, 7th April 1866.

⁶⁴ HO 144/167/A42659, Correspondence, 7th April 1866.

⁶⁵ HO 144/167/A42659, April 1866, minutes.

Colonel White's leadership of the county police had come under public scrutiny during the 20 years which preceded the 1888 Local Government Act in connection with three controversial incidents involving county police officers. The latest and most dramatic of these occurred in May 1888, when Superintendent Scott was murdered in Durham by Benjamin Wright who then shot himself. Evidently, Wright who had recently been dismissed from the police for disobeying orders, 'attributed his dismissal' to Superintendent Scott. The three column *Northern Echo* report which included in gory detail the accounts of several eye witnesses, described how, 'in desperate revenge' Wright had 'deliberately and silently planned the deed' which he eventually 'consummated'.⁶⁶ An editorial on the following day drew attention to the parallels between this tragedy and two other similar cases. In May 1868, Constable Paton had committed suicide after shooting Constable Cruickshanks in the village of Sherburn. It seems that when Paton had been reported for some dereliction of duty Cruickshanks had witnessed against him.⁶⁷ The third incident had happened at Jarrow in January 1884, when an ex-policeman, William Craggs, having attempted to kill Sergeant Thomas Best drowned himself in the River Tyne. Craggs evidently blamed Best for a letter that he had received from Colonel White asking him to resign because he had 'eked out his earnings' by working as a Sunday and a night watchman.⁶⁸

A similarity in the pattern of the three incidents was highlighted and criticism of the Chief Constable was implied in the comment that the incidents were 'only of occurrence among middle-aged men in connection with arbitrary decisions', when 'both parties' were not given a hearing or the opportunity to appeal against a decision.⁶⁹ In a letter that had been written by Benjamin Wright and found after his death, he expressed the hope that his death would 'stimulate superintendents to always speak the truth and not to resort to scientific lies when giving evidence against brother-officers.' He added that it would be 'infinitely better' if chief-constables did not put as much trust in superintendents who knew that they would be believed.⁷⁰ Further blame was directed at White in the comment that since such incidents were only associated with the county constabulary, there were 'good grounds' to conclude that there was 'something rotten in the State of Denmark' as far

⁶⁶ *Northern Echo*, 1st June 1888, p. 3.

⁶⁷ *Leeds Mercury*, 4th May 1868, p. 3.

⁶⁸ *Northern Echo*, 18th January 1884, p. 3.

⁶⁹ *Northern Echo*, 2nd June 1888, p. 2.

⁷⁰ *Northern Echo*, 2nd June 1888, p. 3.

as its government was concerned. In the opinion of the *Echo*, the problem was partly attributable to the type of discipline that was exercised in the county police which was in effect 'the arbitrary government of military rule'. They hoped that greater local control of the police in which there would be 'a more purely civilian moral' to the benefit of the force and to 'the best interests of the public', would be introduced in the imminent Local Government Bill.⁷¹

These sentiments were echoed in the correspondence column of the following week's edition of the newspaper by the contribution of Richard Nicholson. Having served for more than 20 years, he had been asked to resign from the Durham County Constabulary in 1880 when he was 'most unjustly' accused of drunkenness. When White had refused him a hearing, he approached him again with a petition signed by 22 residents of 'the Eastgate and Westgate districts of Weardale' who had believed that the accusation was 'entirely false'. They assured White that Nicholson had 'discharged his duties' in their district 'in a conscientious and faithful manner'.⁷² After his appeal had been refused again he was told by a superintendent that 'the Chief-Constable would believe any of his superintendents before a hundred other witnesses'. In his letter to the press, Nicholson argued that the forthcoming Local Government Bill should contain a clause which directed county chief constables to investigate any complaints against constables. He saw a connection between the 'fearful tragedies' that had happened in the county police and Colonel White's 'refusal' to 'investigate' accusations that had been made against constables by their superiors.⁷³ Nicholson also mentioned that although he had served for over 20 years in the Durham force, and had contributed to the Police Superannuation Fund during that time, he had received no pension to support himself, his wife and his seven children. He considered that it was 'worse than highway robbery to discharge a man' in the way which he had recounted and to retain his contributions, 'without giving him the chance of a hearing'.⁷⁴

Nicholson was representative of many long serving policemen who were disadvantaged by the unfair discretionary system of pension awards before reform of the system by the 1890 Police

⁷¹ *Northern Echo*, 2nd June 1888, p. 2.

⁷² *Northern Echo*, 8th June 1888, p. 2.

⁷³ *Northern Echo*, 8th June 1888, p. 2.

⁷⁴ *Northern Echo*, 8th June 1888, p. 2.

Act.⁷⁵ In her survey of the mounting pressure for a fair pension which lasted over several decades, Steedman documented the problems of moving from patchy localised provision to a national superannuation scheme. She maintained that the main impediment was that ‘rights and rewards’ could not be ‘distinguished or catered for’ by two sets of masters, namely, ‘ratepayers’ and ‘paid officials’ in the boroughs and the ‘unelected and traditional rulers’ in the counties.⁷⁶ The *Echo* considered that Nicholson’s letter provided a ‘startling corroboration’ of ‘the view’ that they had expressed in their previous edition. They claimed that his account showed yet another example from the ‘same force’ of ‘exalting military discipline over the comity of civil life’. Furthermore, they maintained that ‘the respectable signatories’ to Nicholson’s petition which was said to have been rejected by White ‘would have had very considerable weight attached to them in any court of justice’. A situation such as that of Nicholson, where a man could be ‘discharged’ from the police ‘with the forfeiture of all his savings and the sacrifice of his almost due pension, on an accusation’ which he had ‘vainly’ pleaded to have investigated, was ‘an instance of discipline enough to drive many men mad’.⁷⁷ Within days similar views were being expressed in other local newspapers.

There is no indication that this forthright criticism of White’s governance of the Durham force was followed up by the Constabulary Committee. If any concerns had been expressed they would have certainly been publicised. It seems a step too far to blame White for the murders and suicides. In those instances there was no question that there had been a lapse in discipline and resentment had been caused because the misdemeanour had been reported. Only one side of the story was being told in the press and it is possible that White had actually investigated the incidents and made the correct decision on each occasion. The fact that the signatories to Nicholson’s petition had not been present on the occasion in question but had merely ‘believed’ that he was innocent, suggests there was some doubt about it. Moreover to castigate White for operating a militaristic system of discipline seems unfair when it was quite common for some of the early chief constables to model their style of management on the army regime.

⁷⁵ Police Act 1890 (53 and 54 Vic c 45)

⁷⁶ Steedman, *Policing*, p. 130. Evidence in Chapter Eight provides information about Chief Constable Moorsom’s involvement in the amendment of the 1890 statute.

⁷⁷ *Northern Echo*, 8th June 1888, p. 3.

The outcome of a situation in Devon, where a police sergeant had committed suicide, suggests that it would have been dangerous for the *Echo* to link White directly with the Durham tragedies. In the Devon case, Captain Hamilton, the Chief Constable had moved the sergeant against whom some complaint had been made to another district. Shortly afterwards the sergeant had died and the verdict of the jury was that he had committed suicide by swallowing strychnine 'in consequence of the degradation he was supposed to have suffered'. Apparently the *Western Daily Mercury* had overstepped the mark in directly attributing the death to the Chief Constable and as a result Hamilton brought a case for libel against the newspaper which was withdrawn when an apology had been accepted.⁷⁸ It is significant that most of the reporting of the Durham deaths and the criticism of Colonel White had featured in the Liberal press. In future chapters it will be seen that in the following 15 years polarised attitudes towards the Durham police and their Chief Constable were adopted by Conservative and Liberal newspapers. Criticism of White's leadership and arguments relating to the extent of his authority and that of his successors would re-emerge periodically. It is worth noting here that although blame for what had happened in Durham was not directly laid at the door of the Constabulary Committee, criticism of their failure to direct White's style of leadership was implicit in the attacks on him.

The large number of references to newspaper reports in the previous sections of this chapter illustrated the part that could be played by the press in establishing police/public relations through their dissemination of information about police matters. However, newspapers had different agendas in their reporting, as could be seen in a comparison of the allegations of mismanagement against Chief Constable Allgood of Northumberland and Chief Constable White of Durham. Whereas the charges against Allgood and the follow up which were included in the *Newcastle Courant's* reports of Quarter Sessions business were composed in a factual and detached style, the implied censure of White in an editorial and Nicholson's emotive letter in the *Northern Echo* were calculated to arouse sympathy for the rank and file police constable, but condemnation of police leadership. This kind of critical stance in relation to the police was unusual and much of the general crime reporting seems to have been designed to convey to the general public an image of successful detection and arrest of wrongdoers on the part of the police. Some of this was suggested in the

⁷⁸ British Library, M4939-40, *Police Guardian*, 18th May 1888, p. 2.

press record of Quarter Sessions meetings, where cases for the Assizes were listed. In addition, the blow by blow disclosure of police investigations in the detailed accounts of murders and other serious crimes which occupied many newspaper pages and which provided addictive reading also contributed to the inculcation of a positive impression of the police. In his study of the role played by public participation in the surveillance of Merthyr Tydfil's streets towards the turn of the century, Andy Croll demonstrated another way in which the press could facilitate the contacts between police and public. This occurred when the *Merthyr Express* reported the information about the town's trouble-spots that had been contributed by local citizens. Not that this was always a positive link between the police and the local population since the lack of a police presence on Merthyr's streets was often criticised.⁷⁹

The relationship between Magistrates and Chief Constables after 1889

The role of the magistracy in the administration of the county police was altered by the 1888 Local Government Act (the implementation of which will be discussed in the following chapter). The Act established the county councils and transferred the governance of the county police from Quarter Sessions to Standing Joint Committees which were composed of equal numbers of magistrates who were nominated by Quarter Sessions and county councillors who were elected by their fellow councillors. Thus, the continuing role of the magistracy in supervising the police depended on their influence in the new county councils and their standing on the county bench. Dunbabin remarked that most of the magistrates who stood in the first county council elections in early 1889 were returned unopposed, owing to 'their established position and the influence that went with it'. In addition he noted that they 'formed rather under half the councillors' across the country.⁸⁰ This statistic suggests that as a result of the first elections, (at least), the magistracy would exert some influence in county government and therefore in the supervision of the police by the SJC. Table 3 shows the balance of magistrates and non magistrates on the first councils in the counties that are central to this study.

⁷⁹ A. Croll, 'Street disorder, surveillance and shame: regulating behaviour in the public spaces of the late Victorian British town', *Social History*, 24, 3 (1999).

⁸⁰ J.P.D. Dunbabin, 'Expectations of the New County Councils, And Their Realisation', *Historical Journal*, V111, 3 (1965), pp. 358-360.

TABLE 3 Number of magistrates on five county councils in northern England 1889

County	number of councillors	number of magistrates on council	magistrates as % of councillors
West Riding	120	25	21%
Cumberland	99	27	27%
Durham	96	50	52%
Lancashire	105	66	63%
Westmorland	56	42	75%

Source3: Dunbabin, ‘Expectations’, p. 360; Marshall and Walton, *Lake Counties*, p. 122; R. Tuft, ‘The Social and Political Composition of the Early Cumberland County Councils 1889-1914’, unpublished MA dissertation, University of Lancaster, 1976, p. 28; Kelly’s Directory of Durham (London. Kelly and Co., 1890), pp. 14-15; *Manchester Guardian* 15th February 1889, p. 7.

In a county like Westmorland where most of the councillors were magistrates the new supervisory body would have been very similar to the former Constabulary Committee. Another method of boosting the number of magistrates on the county councils which provided the opportunity to place more of them on the SJs, involved the election of aldermen, a process which will also be explored in the next chapter. Suffice it to say at this stage that 12 of the 18 members of the first Westmorland SJC and nine of those who gained council seats as a result of the aldermanic and subsequent by-elections were magistrates.

Despite the substantial numbers of magistrates on some of the first councils, Dunbabin identified ‘a certain amount of anti-magisterial feeling’. For example he noted that in Holland, Lincolnshire, Radical Liberals ‘used the term “magisterial” as a smear word’.⁸¹ However, he also stated that ‘the press could overlook’ such ‘hostility’ and it may ‘commonly’ have been represented as ‘political feeling’.⁸² The composition of some of the new county councils and consequently that of the SJs were affected by the changing political face of the magistracy (see Chapter One for Zangerl’s

⁸¹ Dunbabin, ‘Expectations’, p. 360.

⁸² Dunbabin, ‘Expectations’, p. 360.

statistics of the appointment of magistrates from a widening social background).⁸³ In 1892, after six years of Conservative administration during which the Lords Lieutenant had succeeded in appointing an ‘overwhelmingly Tory’ magistracy across the country, the number of Liberal magistrates began to increase. Lancashire was the first county to see a significant change. As Chancellor of the Duchy of Lancaster, James Bryce, a Liberal had total control of magisterial appointments and he made a great effort to include working men in his appointments to the county bench.⁸⁴ Consulting prominent Liberals as his ‘sources of information’, but also on the advice of ‘cooperative societies, trade unions, socialist groups and trades councils’, Bryce made 257 appointments in less than two years.⁸⁵ His actions led to a flurry of correspondence in the press and questions in Parliament. In the Lords, Lord Stanley of Alderley criticised Bryce’s action of appointing 59 ‘working men’ to the magistracy ‘merely because they were working men’. He thought that the country should ‘watch and follow the experiment’ and that ‘the Government should see how these new magistrates were acquitting themselves’.⁸⁶ In Westmorland also the political balance of the magistracy was being redressed. At a Petty Sessions in Kendal, Major Braithwaite-Wilson, Conservative claimed that County Lord Lieutenant Lord Hothfield, Liberal, had only appointed people ‘from his own party [...] to act as county magistrates’. Braithwaite-Wilson considered it ‘a shame and a disgrace’ that he should ‘so misuse his power’.⁸⁷ However, the difference between the appointment of Liberal magistrates in Lancashire and those appointed elsewhere was that during Bryce’s term at the duchy office it was the first time that workmen ‘became magistrates in any recognisable numbers’.⁸⁸

⁸³ See Chapter One, p. 17.

⁸⁴ J. Shepherd, ‘James Bryce and the Recruitment of Working-Class Magistrates in Lancashire 1892-4’, *Bulletin of the Institute for Historical Research*, 52 (1979), pp. 155-156.

⁸⁵ Shepherd, ‘James Bryce’, p. 156.

⁸⁶ *Manchester Guardian*, 5th May 1893, p. 6.

⁸⁷ *Liverpool Mercury*, 15th August 1892, p.6.

⁸⁸ Shepherd, ‘James Bryce’, p. 169.

Chief Constables and Magistrates flex their muscles

After 1889, when the governance of the county police had become the shared responsibility of Quarter Sessions and elected county councillors there was one recorded attempt by a group of local justices to weaken the authority of a county chief constable. This occurred in Westmorland when Chief Constable Dunne refused to support a request from the Windermere and Bowness Magistrates for additional police to deal with problems arising from an influx of tourists during the summer months. Dunne maintained that in every respect the present numbers were 'amply sufficient'.⁸⁹ Furthermore, he argued that the system of policing the two counties jointly had facilitated the temporary lending of men from the Cumberland force to Westmorland when it had been necessary.⁹⁰ He considered that to provide an extra police presence by upgrading one of the existing two constables in Windermere to the rank of sergeant and bringing in the Kendal constable would be a cheap alternative.⁹¹ Therefore, on Dunne's advice, the Westmorland SJC had turned down the magistrates' request. Subsequently, the Home Office had approved the upgrading of a Windermere constable to the rank of sergeant.

It was almost certainly Dunne's lack of support on that occasion that led to his difficult relationship with the Windermere and Bowness Bench, whose chairman George Puckle was also a member of the Westmorland SJC. The antagonism surfaced a few months later when Puckle expressed disquiet about the untidy and dirty condition of the new court room in Bowness for a recent magistrates' meeting.⁹² Clearly dissatisfied with Dunne's explanation, Puckle and the Magistrates addressed their complaints to the SJC. They found that Dunne's explanation differed 'entirely' from one that had been given by the Superintendent Graham (who had been on duty at the courthouse) and since Dunne's reply contained 'no expression of regret or apology for the inconvenience and annoyance caused to the justices', they were left with 'a painful impression on their minds that the instructions were given purposely with the object of causing such inconvenience and annoyance'. They presumed that it was the responsibility of the SJC to provide and maintain the court house and that the 'giving of instructions to inferior Officers of the Police' in this instance could only be

⁸⁹ C.R.O., Westmorland S.J.C. Papers, Box 2, 5th June 1896, Chief Constable Report.

⁹⁰ C.R.O., Westmorland S.J.C. Papers, Box 2, 5th June 1896, Chief Constable Report.

⁹¹ C.R.O., Westmorland S.J.C. Papers, Box 2, July 1896, Chief Constable Report.

⁹² C.R.O., Westmorland S.J.C. Papers, Box 2, 23rd March 1897, Letter from Mr Puckle to Chief Constable.

interpreted as 'a serious and deliberate act of disrespect to the Bench'. Feeling sure that the SJC would not have 'knowingly' countenanced such a state of affairs they trusted that 'instructions' would be given to the Chief Constable 'that the Bench should not 'be subjected to any such indignity' in the future.⁹³

Although this opening spat between Dunne and the Windermere and Bowness Magistrates was a trivial incident it seems to reflect an attempt by a group of Justices to assert some of the authority over the Chief Constable which the Westmorland Quarter Sessions would have lost with the implementation of the 1888 Local Government Act. In the hyperbolic language which they used to express their irritation with the Chief Constable they appear to be trying to remind him and the SJC of the status that they felt was due to them. In fact, on one point, the Magistrates had a case: the SJC had inherited responsibility for the administration of all property connected with county policing and justice in 1888. Therefore, it is likely that they would have organised the construction of the new courthouse at Bowness. However, they clearly did not consider that they were liable for the subsequent clean up.

Further controversy followed a month or two later when the Westmorland SJC was petitioned again for an addition to policing strength in the Windermere area. It appears that the policeman who had been brought in during the previous summer to assist Sergeant Kerr (recently upgraded) and the other constable was only a temporary posting and he had returned to Kendal. However, insisting that at the present time Bowness was adequately served, Dunne stated that if the need arose, they could again call upon the services of 'the divisional Superintendent, the Kendal Sergeant and one Constable'.⁹⁴ Meanwhile, HM Inspector Croft conducted his annual inspection of the Westmorland force on 22nd and 23rd July, and no mention of a requirement for more police in Westmorland appeared in any preliminary feedback to Dunne or the SJC. Nevertheless, within a month, when the SJC had resolved that the case for more police in Bowness and Windermere was not proven, Bowness Urban District Council decided to take their request to the Home Office.⁹⁵ There is no

⁹³ C.R.O., Westmorland S.J.C. Papers, Box 2, 30th March 1897, Letter from Bowness Magistrates to Westmorland SJC.

⁹⁴ P.P., 1898, xlv.1, Reports of the Inspectors of Constabulary, for the year ending 29th September 1897, p. 141.

⁹⁵ C.R.O., Westmorland S.J.C. Papers, Minutes, 8th August 1897.

evidence of the Home Office's response. In any event, it would most likely have consisted of a reminder that the Home Secretary had no authority to deal with the matter and that it should be referred to the SJC. However, the frosty nature of correspondence between Dunne and Puckle in December reveals that the Windermere and Bowness magistrates were involved again in the local call for more police. Puckle reported to Dunne that Superintendent Graham had refused to give information about the local policing arrangements of the past summer to a recent magistrates' meeting, saying that he had been told not to answer any questions and that the magistrates were to produce written enquiries which would then be 'forwarded' (Puckle supposed), to Dunne.⁹⁶

Puckle claimed that the magistrates considered Graham's response to the request to be 'improper' and felt that 'his manner throughout was insolent and offensive'. Although the magistrates were 'unwilling to believe' that Dunne had instructed Graham to behave in such a manner, they had asked Puckle to refer the matter to him.⁹⁷ In his prompt reply, Dunne undertook to look into the 'particulars' of Puckle's complaint, although he refused to apologise for Graham's behaviour and asserted that he had 'always been civil and courteous in the execution of all his difficult duties'. He merely restated his policy with regard to policing in the Windermere district and pointed out that Puckle, himself, had chaired the SJC meeting when 'all the facts were fully explained'. Some criticism of Puckle's failure to follow the proper procedures was implied in his comment that 'If any fresh grounds' had 'arisen to justify application for an increase' he trusted that they would be forwarded to the SJC via the Clerk, Mr Bolton.⁹⁸ Correspondence over the Christmas period, if it occurred, is missing from the SJC papers, but a curt enquiry from Puckle to Dunne at the end of the month provides evidence of his ongoing frustration: 'Will you kindly give me a definite answer to the following question: In declining to answer any questions of the magistrates, unless put in writing, was Supt Graham acting under your instructions, or was he not?'⁹⁹ Dunne immediately responded, but totally ignored Puckle's enquiry. Instead, he gave the justification for Graham's

⁹⁶ C.R.O., Westmorland S.J.C. Papers, Box 2, 15th December 1897, Letter from Mr Puckle to Chief Constable.

⁹⁷ C.R.O., Westmorland S.J.C. Papers, Box 2, 15th December 1897, Letter from Mr Puckle to Chief Constable.

⁹⁸ C.R.O., Westmorland S.J.C. Papers, Box 2, 16th December 1897, Letter from Chief Constable to Mr Puckle.

⁹⁹ C.R.O., Westmorland S.J.C. Papers, Box 2, 29th December 1897, Letter from Mr Puckle to Chief Constable.

refusal to answer the magistrates' questions, drawing the distinction between the responsibility of the Police to 'give the Magistrates any information and assistance regarding offences under judicial investigation' and what had actually been required of Graham. In particular, he drew attention to the fact that newspaper reporters had been present for the whole meeting, i.e. they would have been party to the discussion that had occurred when Graham was not in the meeting and also would have heard him being questioned later. In these circumstances, any policeman 'would be quite justified in respectfully requesting that the questions should be put in writing'.¹⁰⁰

The affair rumbled on into the early months of 1898. At the January SJC meeting Mr Puckle and three other representatives from the Windermere and Bowness Petty Sessions complained about the conduct of police officers during the previous year. They felt strongly that the SJC should agree to the appointment of another police constable. In response to their complaints it was resolved that the Chief Constable was to give orders that would 'obviate any grounds of complaint in the future'.¹⁰¹ It is clear from the draft minutes of the January meeting that an issue which continued to rankle with the Windermere and Bowness magistrates was the shabby treatment which they felt they had received at the hands of the local police in the case of the unprepared court room. Thus in early February Dunne forwarded Superintendent Graham's explanation for the unsatisfactory state of the new court room in March of the previous year to the SJC. His account completely exonerated the police and he laid the blame fairly and squarely on the contractor who had not completed the work in time.¹⁰² The decision about the extra constable for Bowness was to be made by the SJC at a specially convened meeting in February.

In preparation for that meeting Dunne also produced a nine-page report in a last ditch attempt to prevent an increase in the Westmorland force. He began by reiterating his arguments against the increase. He insisted that there was efficient protection of 'life and property' in the Windermere and Bowness district and that 'good order was well maintained'. Referring to the case presented by the deputation of magistrates to the SJC in January, he reminded the Committee members of certain

¹⁰⁰ C.R.O., Westmorland S.J.C. Papers, Box 2, 30th December 1897, Letter from Chief Constable to Mr Puckle.

¹⁰¹ C.R.O., Westmorland S.J.C. Papers, Box 2, 14th January 1898, Minutes.

¹⁰² C.R.O., Westmorland S.J.C. Papers, Box 2, 8th February 1898, Report from Superintendent Graham.

replies that he had given at that time.¹⁰³ When the magistrates had complained that Appleby, Shap, Kirkby Stephen, Kendal and Kirkby Lonsdale had more police 'than their population and rateable value entitled them to', he had pointed out to them that the police in those places 'had large areas to patrol and attend to' in addition to the towns. He had also reminded them that Windermere and Bowness, the 'interior of the county' was 'well protected' by 'a good system of outward circles of patrols from the incursions of tramps and convicted persons' who might be travelling through the county 'to commit crime'.¹⁰⁴ Dunne then turned to more personal matters, recalling the 'allegations' which had been made by the magistrates' deputation. He had written down 'the words said at the time', because they 'reflected most seriously upon the efficiency, discipline and the proper government of the Police'. He thought that it was important to refer to them since they showed the 'extent of the trouble and difficulties' that had confronted the Superintendent and his officers at Bowness'.

Evidently, Dr Hamilton, one of the magistrates had said that 'the conduct of the Police was most objectionable, most offensive and insolent'. In addition he considered that Superintendent's 'misconduct' was 'a deliberately planned act under the instructions and with the connivance of the Chief Constable'. Mr Stevenson had added fuel to the fire by stating that 'the magistrates at Bowness were worried out of their lives by the conduct of the Police'. They thought that 'the administration of justice' had been 'brought into contempt by the Police'.¹⁰⁵ With reference to the 'allegation of connivance', Dunne 'repudiated' the charge 'in the strongest language that a man could use'. He added that if it was true it 'would disclose a lamentable state of disorganisation, inefficiency, and want of discipline'. He denied that he had ever encouraged 'anything approaching to disrespectful conduct in word or act to the magistrates, or to the local authorities'. However, in spite of Dunne's customary eloquence, the SJC resolved that an additional policeman should be appointed for Bowness and the Home Office approved the increase.¹⁰⁶ In his Report of policing in Westmorland for 1898, Sir Herbert Croft mentioned the appointment of a constable for Ambleside which had been agreed in 1896 and the more recent addition at Bowness, commenting that 'The

¹⁰³ C.R.O., Westmorland S.J.C. Papers, Box 2, 11th February 1898, Chief Constable Report.

¹⁰⁴ C.R.O., Westmorland S.J.C. Papers, Box 1, 11th February 1898, Chief Constable Report.

¹⁰⁵ C.R.O., Westmorland S.J.C. Papers, Box 1, 11th February 1898, Chief Constable Report.

¹⁰⁶ C.R.O., Westmorland S.J.C. Papers, Box 2, 11th February 1898, Minutes.

increase was certainly required, and the force is still very small, and the beats are very large'. They were in fact 13,901 acres to each police officer. Interestingly, in his remark about the very large beats, Croft was not referring to the central part of the county which included Ambleside and Bowness, where the repeated requests for extra police had been made, but to the surrounding large tracts of countryside.¹⁰⁷

The impression created by this whole affair is that it was a storm in a teacup which provided an opportunity for the parties concerned to pull rank. Initially, the majority of the SJC supported Dunne's stance on the adequacy of police numbers in the Windermere and Bowness area. Moreover their vague resolution that in his future 'orders' he should avoid giving 'complaint' suggests that they were trying to keep the magistrates happy without causing a loss of dignity for Dunne who was only a few years away from retirement. The reason for their eventual decision to support the request for the increase is unclear and there is no available evidence of the party loyalties of SJC members. As far as Dunne himself was concerned, his motivation in this chain of events could have been as insignificant as a personality clash with Puckle. In holding out so strongly against the increase of one constable, he certainly seems to have been taking a sledgehammer to crack a nut. However, in stationing the joint force he was always faced with the unpredictable situation in west Cumberland which was highlighted earlier in this chapter. Consequently, he needed to keep his options open and as far as he was concerned an extra permanent policeman for the local tourist season was not a priority.

This situation bears comparison with a dispute between a Borough Chief Constable and his Watch Committee some years before. In the Windermere situation the SJC and subsequently the Home Office had initially approved Dunne's stop gap solution of upgrading a constable to the rank of sergeant to meet a temporary need for extra policing in Bowness and Windermere. Then, inexplicably, a few months later the Home Office had also supported a complete turnaround by the SCJ when the Committee had ignored Dunne's advice and agreed to the Magistrates' request for a permanent increase. In effect they had left the Westmorland SJC to deal with a local controversy. In 1881, a disagreement between the Head Superintendent of Birmingham, Edwin Bond and the

¹⁰⁷ P.P., 1899, xlii.1, Reports of the Inspectors of Constabulary, for the year ending 29th September 1898, p.141.

city's Watch Committee had borne some similarities to the Westmorland episode, although the circumstances were different. Bond had aroused the ire of the Watch Committee and many others by initiating proceedings against a concert hall for producing a stage play without a licence from the Birmingham Magistrates. This action had been taken without reference to the Watch Committee who had recently resolved that the Chief Superintendent should consult them about any prosecutions that he wanted to take if it involved a large number of ratepayers, or could 'provoke the public mind'.¹⁰⁸ Defending his actions, Bond had maintained that he was responsible for ensuring that public morality was upheld and he considered that his action did not require permission from the Watch Committee.¹⁰⁹ When Bond presented his case to the Home Office, they insisted that the Birmingham Watch Committee was responsible for handling the matter.¹¹⁰ After several weeks, when there had been ongoing discussions between the Town Council and the Watch Committee about whether he should be asked to resign, Bond climbed down and accepted the Watch Committee's ruling.¹¹¹

As might have been expected, the Home Office had stayed out of each dispute, leaving the local police authorities to manage the affair. However, the dogmatic and highhanded manner of the two Chief Constables who had argued about the rightness of their positions was striking. Dunne, in his county post was unused to having his decisions questioned and he could afford to engage in the long running disagreement without ever feeling really threatened. On the other hand, Bond who, like other borough chief officers was subject to the direction of the Watch Committee made a surprisingly spirited stand.

Conclusion

This chapter has shown that it would be a mistake to suppose that the county chief constables of the 1880s received total support from Quarter Sessions or vice versa. However, apart from Northumberland Constabulary Committee's highly unusual attempt to erode the authority of Chief Constable Allgood, there were only slight disagreements and misunderstandings. For the most part

¹⁰⁸ *Birmingham Post*, 15th June 1881, p. 5.

¹⁰⁹ *Birmingham Post*, 15th June 1881, p. 5.

¹¹⁰ *Birmingham Post*, 15th August 1881, p. 4.

¹¹¹ *Birmingham Post*, 29th August 1881, p. 4.

the office holders were able to operate without too much interference. For instance, despite the high profile of much of the controversy that surrounded Chief Constable White in Durham, including personal attacks against him from politicians, the press, and members of the public, there was little indication that the Durham Constabulary Committee or Quarter Sessions attempted to dictate policing policy. In Lancashire where the effects of rapid industrial development caused an ongoing need for increases to the county constabulary, the backing of the magistrates who were on the ground and could accurately assess the situation can be contrasted with the attitude of the Home Office officials whose negativity only served to emphasize their distance from the action. In Cumberland and Westmorland there was little cause for Dunne to fall out with the Quarter Sessions. Furthermore his untiring efforts in the field of cattle disease (see chapter two) which received national recognition, earned their praise and a monetary reward.

Michael Pike recognised that the relationship between police and magistrates was 'too entrenched to vanish overnight' in 1889. However the evidence does not entirely support his argument that 'the decline in the influence of the justices' was traceable to 'the emergence of the Standing Joint Committees'.¹¹² It has been shown that apart from the 50 per cent of Committee members who were nominated by the Quarter sessions, the pool of magistrates on the early county councils from which the other 50 per cent of the Committee was chosen was often very large. Therefore, SJs could be, and sometimes were dominated by justices. The 'decline' seems to have been more gradual than Pike supposed and the magistrates' increasingly tenuous control of the county police was only part of a larger picture. Certainly at a stroke they were deprived of all their administrative functions except their judicial one in 1889.

The few problems that did occur between county chief constables and magistrates were usually concerned with the chief constable's management of the police and particularly his decision making. Moreover they were relatively short lived. Although the controversy between Dunne, Puckle and the local justices was focused on his insistence that no increase in the county police was necessary, his disagreement with them seems to have been little more than a minor local power struggle. The dispute between Moorsom and Lancashire Quarter Sessions about his right to appoint

¹¹² M.S. Pike, *The Principles of Policing* (London: The Macmillan Press Ltd., 1985), p. 16.

a deputy appears to have arisen from a misunderstanding of the Lancashire Justices Act and goodwill was quickly restored. However, the nature of the attacks on White was different for several reasons. The Durham police under his leadership were accused of the inhuman treatment of evicted miners and the matter was raised in the Commons. Furthermore, there were insinuations in the Durham press that over the years White's management style had been partly responsible for the deaths of several men in the county force. Significantly, the level of support for him or censure of him from the Constabulary Committee in the 1880s is unknown. White's experiences during this period were the prelude to other difficult times for Durham Chief Constables which will be investigated in later chapters.

Chapter Four Effects of the 1888 Local Government Act

The main aim of this chapter is to ascertain the importance of the establishment of the county councils in 1888 for the control of county police forces and in particular for the authority and influence of their chief constables. The Local Government Act, which created the first county councils, was an important milestone in the development of local government systems and a watershed in the history of county policing. Its most significant outcome for chief constables (briefly mentioned in Chapter One), was the transfer of police supervision from Quarter Sessions to the Standing Joint Committee.¹ In effect, the Committee which was composed of equal numbers of magistrates and elected councillors operated independently of Quarter Sessions and the county council, although the council's finance committee was responsible for meeting the policing costs that were incurred by the SJC. Whereas the SJC, as the new police authority was very different from the Quarter Sessions, there were guidelines for their supervision in the Act but no reference was made to the chief constable's management of his force.²

The repercussions of the Local Government Act have a significant place in the aforementioned chronology of power shifts and the move towards centralisation which historians have analysed in differing ways. As already discussed in Chapter One, Eastwood identified an earlier staging post in this process with the transfer of magisterial authority from petty to quarter sessions.³ Likewise, Steedman recognised this shift but emphasised the slow speed of the transition.⁴ However, more pertinent to the effects of the 1888 Act for county policing are Thane's claims that in later decades also the transition was gradual and variable and Smith's assertion that politicians' views on the

¹ See Chapter One, p. 6.

² Local Government Act, 1888 (51&52 Vic ch.41) However, it is noteworthy that the wording of the clause relating to the supervision of chief constables was amended in the final version of the Bill. Originally, it had stated that 'Nothing in the Act' would alter 'the powers, duties and liabilities of Quarter Sessions', in connection with 'the appointment, control and dismissal of chief constables', although it had added that the 'powers, duties and liabilities' of Quarter Sessions would be 'exercised and discharged through the Standing Joint Committee'. The final version made no reference to Quarter Sessions' continuing control over the chief constable, except to state that any two county magistrates could 'suspend' a chief constable whom they considered to be 'negligent' in his 'duty' or unfit in any other way.

³ Eastwood, *Governing*, pp. 203-204.

⁴ Steedman, *Policing*, p. 19.

subject tended not to be dogmatic but rather linked to the prevailing situation.⁵ In the case of rural policing, the 1856 Borough and County Police Act had already introduced a measure of centralisation with the government subvention which was dependent on a favourable annual inspection. Despite this hold that had been established over provincial policing, evidence has shown that in the intervening years the Home Office had usually shunned any closer supervision of provincial forces. This chapter paves the way for an exploration of how far centralisation and its associated impact on chief constables had progressed by the turn of the century.

Despite the judgement of some historians that the change to police management in 1888 made little difference to the lives of county chief constables, archival evidence will show that it could produce difficult situations for some. Therefore, since the future of a county police force and in particular the position of its chief constable would depend largely on the nature of a county council and the composition of an SJC, the introduction of the new democratic organisation and its implementation merit detailed investigation. This chapter establishes the context for arguments that are presented in subsequent chapters about the effects of these developments on the status and autonomy of certain chief constables. The opening section of the chapter explores the opinions and arguments in the House of Commons and the wider community about the proposed clauses in the 1888 Bill, particularly in relation to control of the police. This is followed by a survey of the part played by party politics in the 1889 County Council election campaign and a comparison of the election results. The importance of political allegiance is also highlighted in the election of the chairmen of the first councils and the appointment of the county aldermen. Finally attention will be given to the composition and teething problems of the first SJs.

Jeffrey Stanyer remarked that by 1888 'virtually every other type of local government and local authority' had been reformed on democratic principles, 'leaving the county as the outstanding legal anomaly'. The two most notable measures which had resulted in some form of representative system were the 1834 Poor Law Amendment Act which had 'a lasting effect on district level

⁵ Thane, 'Government and Society', p. 33, Smith; 'Sir George Grey, p. 361.

administration' and the 1835 Municipal Corporations Act, with its 'model of a local constitution'.⁶ Thereafter, repeated efforts were made to implement something along similar lines in the counties.⁷ When the Representation of the People Act in 1884 and the Redistribution Act in 1885 had not only tripled the number of those eligible to vote in General Elections but had also enfranchised the majority of agricultural labourers, county administration appeared to be even more of an anachronism which was in urgent need of democratization. In a discussion of the implementation of the 1888 measure as a significant development in Victorian county policing, this chapter presents a hitherto unexplored approach to the subject. Furthermore, the important contextual details of this significant advance in local government that are outlined here provide a framework for arguments which will be made in subsequent chapters about the status and autonomy of certain chief constables.

Dissenting voices about the proposed changes in the governance of the police

After various schemes for a local government bill had come to nought during the early 1880s, Lord Salisbury's Conservative administration took on the challenge. Salisbury had a difficult path to tread in this situation. John Dunbabin pointed out that he needed the support of the Liberal Unionists but at the same time he had to avoid alienating the right wing of his party. However, pressure to appease the Liberal Unionists meant that elements of the Bill were more 'progressive than he would have wished'.⁸ In his survey of the development of county government, Bryan Keith-Lucas stated that Joseph Chamberlain, the leader of the Liberal Unionists 'demanded' that a bill to establish councils 'on the model of the existing borough councils' should be 'promptly' introduced. He added that it was only with 'much foreboding' that Salisbury 'allowed the bill to go forward'.⁹

A speech that Salisbury delivered in April 1888 gives some indication of how he sold the Bill to his party faithful. Firstly he tackled the accusation of 'radicalism' by insisting that any mention of it in

⁶ J. Stanyer, 'Assessing the Local Government Act 1888', *Local Government Studies*, 15, 6 (November-December 1989), p. 27.

⁷ Stanyer, 'Assessing', p. 27.

⁸ J.P.D. Dunbabin, 'The Politics of the Establishment of County Councils', *Historical Journal*, 6, 2 (1965), p. 241.

⁹ B. Keith-Lucas, 'The Government of the County in England', *Western Political Quarterly*, 9, 1 (March 1956), p. 46.

connection with the Local Government Bill was 'all nonsense'. Likewise he maintained that there was no truth in the rumours that the Bill was 'revolutionary', that it deprived 'the squirearchy' of their place in society and that 'it deposed the feudal classes from the position' which had been theirs 'for many centuries'.¹⁰ Salisbury argued that 'mere infinitesimal items of independent power' would be 'transferred' to the county councils since the power of the magistrates had already been 'confined to trifles' by Parliament who had taken over responsibility for gaols and lunatic asylums. He asserted that circumstances were the same with regard to the county police over whom the magistracy had only 'nominal control', since in reality the Home Secretary was in charge of them. He had 'the purse strings in his hands' and 'if the magistrates' did not 'exactly obey his behests', he withheld 'the funds'.¹¹

Although both the major political parties supported the introduction of county councils in 1888, there was considerable disagreement about the Conservative Government's recommendation for control of the police. This would leave the appointment of a chief constable in the hands of Quarter Sessions but it would establish committees composed of magistrates and elected councillors to supervise the police. Michael Pike considered the scheme for the joint committees to be an attempt to accommodate 'the traditional principle that justices had a duty to preserve the peace' and 'the democratic principle of accountability through elected representatives'.¹² Jenifer Hart noted that the plan was considered by many to be 'a dangerous compromise' and some thought that the 'risk' of 'paralysis' which might ensue from 'friction between Quarter Sessions and county councils' should not be run in a body dealing with the police. She observed that others felt the arrangement left 'too many powers' with the justices who 'were not always in sympathy with the people'. They advocated 'control by the elected representatives of the people' which would have fostered 'that sympathy between the police and public which was desirable'.¹³ As Stanyer pointed out, the 'compromise' which was recognised as playing a significant part in these proposals featured

¹⁰ *The Times*, 11th April 1888, p. 12.

¹¹ *The Times*, 11th April 1888, p. 12. See J.L. Garvin, *The Life of Joseph Chamberlain V. 2 1885-1895* (London: Macmillan and Co., 1932-4), p. 417, Salisbury's concerns for the future should the supervision of the county police be handed to the county councils stemmed from his fear that 'the civilisation of many English counties' was backward enough 'to make it hazardous for the crown to part with power over the police; even if that power should be looked upon as a proper municipal attribute', which he doubted.

¹² M. Pike, *The Principles of Policing* (London: The Macmillan Press, 1985), p.17.

¹³ J. Hart, *British Police* (London: Allen and Unwin, 1951), p. 108.

strongly in the 'national processes' of altering local government owing to 'the fragmented system of political parties' in the later nineteenth century.¹⁴

Clause 7 of the Bill, which contained the proposals for changes in the supervision of the police, provoked much argument in the Commons where opinion generally divided along party lines. On the one hand Liberals considered democratic control of the police to be the natural corollary to the establishment of representative local government whereas Conservatives, many of whom had only hesitantly accepted the elective principle in that area, were in favour of retaining what remained of the status quo.¹⁵ For example, in a Commons debate Walter Bartellot, Tory opposed control by the county council because he thought it was important for the police to be supervised by those who were responsible for maintaining law and order. In contrast, Walter Foster, Liberal, contended that supervision should be transferred to the new county councils who would be deserving of 'power and dignity', rather than left with the declining Quarter Sessions who were about to be deprived of most of their local government authority under the forthcoming legislation.¹⁶ Stanley Leighton, Tory, was concerned about the police being administered by an elected body whose main concern might not always be law and order and who might at some stage be dominated by one class. Therefore he advocated control by the Home Office. On the other hand, James Stuart, Liberal, who favoured supervision by the county councils argued that past constabulary committees had been just as liable to be swayed by events as future police authorities might be.¹⁷

Three days later the debate turned to the appointment of county chief constables and again a range of opinions were expressed. Stuart considered that the joint control which was to be exercised through the committee of magistrates and elected councillors would be 'illusory', if the Quarter

¹⁴ Stanyer, 'Assessing', p. 24.

¹⁵ J.P.D. Dunbabin, 'Expectations of the New County Councils, and their Realisation', *Historical Journal*, V111, 3 (1965), p. 353. Here he reinforced how important it had been for Salisbury to keep Conservative MPs on side, for fear that if they proceeded to 'voice their reactions' as the Local Government Bill went through Parliament they might damage the government and 'thus the Union with Ireland'. Without doubt, in his three articles on the subject, Dunbabin has produced the most thorough account of the advent of the county councils in his discussion of their establishment in the context of national politics, the new system in operation and their wider implications for nineteenth-century local government. He made some observations about the place of the provincial police in his study but this thesis goes one stage further by emphasising the importance of the establishment of the county councils with the introduction of the Standing Joint Committees and the transfer of police supervision for the future status and power of county chief constables.

¹⁶ House of Commons, Debates (HC, Deb), 1 June 1888, vol. 327, col. 277-278.

¹⁷ HC, Deb 15 June 1888, vol. 327, col. 278-280, 291-294.

Sessions were to continue to appoint the chief constable.¹⁸ He added that the body who was in charge of appointing the chief constable would be ‘the party controlling the whole police force’. Moreover, since the Bill provided for ‘a popularly-appointed body in charge of county affairs’, it seemed to be ‘most unreasonable to deny them the complete control over the county police’.¹⁹ Mr Waddy argued that it would not be practicable for a chief constable to be appointed by Quarter Sessions since the ‘subordinate appointments’ which were to be ‘nominally vested in the joint committee would practically rest with the nominee of the magistrates’.²⁰ He added that in their scheme the Government were, ‘in reality’ placing the ‘liability of providing for the police [...] on the county’ but ‘giving the patronage to someone else’.²¹

In a similar vein other speakers argued that to have the control of the police under one body and the appointment of the county chief constable under another was unworkable. Francis Powell considered that such a divided system would ‘inevitably’ cause ‘mischief and friction’. Moreover, he reported that West Riding Quarter Sessions had resolved that the appointment of the chief constable and the management of the police should reside in the hands of the SJC.²² Sir William Harcourt saw trouble looming if a county council disapproved of an appointment that had been made by the Quarter Sessions and prophesied that ‘the police would be perfectly well aware that they were serving two masters who were in conflict one with the other’. He felt that this situation could lead to ‘a state of constant war’. He maintained that the SJCs would be just as capable as the borough watch committees to appoint chief constables.²³

Slowly, but surely a consensus began to emerge. However, those in favour of retaining magisterial control did not give up without a fight. For example, Mr Wharton who had long experience as Chairman of the Durham Police Committee compared the position of a county chief constable who ‘disposed of his force to the benefit of the county’ to that of ‘a commander of a regiment’, consulting the Police Committee over ‘money or the transfer of police-stations from one part of the county to another’. He added that whereas the control of the police in the boroughs ‘was vested in

¹⁸ *The Times*, 19th June 1888, p. 7.

¹⁹ HC, Deb 18 June 1888, vol. 327, col. 496.

²⁰ *The Times*, 19th June 1888, p. 7.

²¹ HC, Deb 18 June 1888, vol. 327, col. 512.

²² HC, Deb 18 June 1888, vol. 327, col. 528.

²³ HC, Deb 18 June 1888, vol. 327, col.529-531.

the Watch Committee' the situation in the counties was entirely different. There, 'the county chief constable was the Watch Committee' and although he was nominally under the supervision of the Quarter Sessions, most of the power was in his hands. He trusted that future control of the police would continue to be the responsibility of the chief constable. Referring to an occasion when he had seen 'the county of Durham in the hands of a miners' association' which led to 'six police stations' being 'wrecked' many men injured and one man killed, he hoped that the Committee 'would think long before it transferred the control of the police to a new body of whose future action they knew nothing'.²⁴ Wharton was supported by Viscount Cranborne who agreed that 'control of the chief constable really meant control of the police'. He stressed how important it was for the chief constable to feel 'secure' and not 'liable to dismissal for doing what he believed to be his duty', which could be the case if he was controlled and could be dismissed by 'an elective Body'.²⁵

In contrast, William Gladstone supported the 'plan' for a joint committee. He regretted the 'element of suspicion and mistrust' that had entered the debate. Like numerous other speakers, he drew attention to what he considered to be the satisfactory system of police supervision by the Watch Committees in the boroughs.²⁶ His approval did not stem from a feeling that the magistrates had 'mismanaged the police' but because the 'plan' now suggested was 'the more excellent plan'. He considered that it was 'more traditional, more historic, more conservative and more agreeable to the ancient usages of the country'. In addition, he felt that the magistrates were not 'the best chosen authority for the control of the police' because they were so 'personally concerned in the game laws'. It was important to 'invest' the new county council positions with 'dignity' and 'duties of practical importance'. 'Self- government' which lacked responsibility for the police in their 'preservation of life and property' was 'a mere skeleton, a mere phantasm of self-government'.²⁷

When the House resumed the discussion of Clause 7 in Committee, the Government was defeated by a large majority on an amendment proposed by Mr John Morley. He moved that 'the portion of the clause giving magistrates the exclusive power to appoint, control and dismiss a chief constable'

²⁴ *The Times*, 19th June 1888, p. 7.

²⁵ HC, Deb 18 June 1888, vol. 327, col. 546.

²⁶ HC, Deb 15 June 1888, vol. 327, col. 282.

²⁷ *The Times*, 19th June 1888, p. 7.

should be omitted. In effect, those who had argued in the preceding debate that the division of police control between the quarter sessions and the Standing Joint Committee was impracticable had won the day.²⁸ The opposing stances taken by the two main parties in the Commons on the type of supervision that should be adopted for county police forces suggested that there was potential for the future position of the chief constable to become less stable and well-defined than previously and more subject to pressures that could be imposed on the SJC from other bodies.

Outside Parliament the impending changes in local government were met with varying degrees of enthusiasm. In Lancashire, one editorial approved the move away from the present system where county business had been 'regarded' by most magistrates with 'supineness, if not indifference' and maintained that this was displayed in the average number of 45 or 50 out of 724 county magistrates attending the Preston Annual Sessions.²⁹ Another source described 'the thoroughness of the new principle of County Government' which had 'amazed even the radicals', as 'practically a revolution'.³⁰

It was to be expected that plans for shared control of the police met with widespread opposition from Quarter Sessions across the country since, as previously stated, the 1888 Act would deprive the magistracy of most of its local government administrative responsibilities. Before discussion on the Government's Bill began in earnest, the unease felt by many magistrates could be detected in a question which was posed in the *Justice of the Peace*. The questioner sought clarification about the current position with regard to the powers of magistrates to dismiss chief constables. Referring to the section of the 1839 Rural Constabulary Act 2&3 Vic. which stated that a chief constable could only be dismissed by 'the justices in general quarter sessions assembled', he asked if this clause was still in force or whether there was 'any more recent statute' which affected the 'security' of tenure of a county chief constable. The response which was brief and to the point stated that the section of the Act referred to was 'still in full force'.³¹ A number of Lancashire magistrates, like their counterparts elsewhere viewed the impending changes in local government with considerable

²⁸ *Liverpool Mercury*, 20th June 1888, p. 6.

²⁹ *Liverpool Mercury*, 7th November 1888, p. 4.

³⁰ *Lancaster Observer*, 13th January 1889, p. 5.

³¹ Skyrme, *History of the Justices of the Peace* (Chichester: Barry Rose and the Justice of the Peace, 1888), p.204.

misgivings. At Preston Quarter Sessions in October 1888 the Chairman had stated that 'it might be very well doubted whether any improvement from an economical and an administrative point of view' would be achieved by the new system of local government.³² The Cumberland Constabulary Committee went further. In a resolution which was forwarded to the Home Office they had expressed the opinion that it was 'most essential in the public interest' that 'the whole control of the County Police Force' should stay 'in the hands of the magistrates in Quarter Sessions'.³³

Party politics in the run-up to the first County Council elections

It was unusual for candidates in the 1889 poll to present a coherent party manifesto to their electorate. However, Dunbabin mentioned an instance of where the programmes of the Conservatives and Liberals had been locally publicised. This had occurred in the 'theoretically independent' *Boston Guardian* where the 'Conservative-Magisterial Candidates' were said to be 'opposed to reform', in favour of making the county magistrates, aldermen and continuing 'the present tyrannical system of police management'. In contrast, it stated that the 'Liberal-Reform Candidates' were in favour of 'improving the registration' reducing police numbers and imposing some financial stringency by 'reducing the salaries of county officials and discontinuing pensions'.³⁴ Dunbabin summarised the more usual platform as 'a singularly ill-assorted collection of political topics'.³⁵ In his history of Lancaster County Council John Marshall noted that the focus for the local Conservatives was usually 'administrative efficiency'. He added that they saw the county councils as a means to the 'simplification and rationalisation of the numerous overlapping boards that ran local services', whereas the central plank of Liberal policy, as elsewhere, was the further development of local democracy.³⁶ Interestingly however, Marshall noted a change of attitude when the 1888 Act had been passed and Tory views were unshackled. He cited the stance taken by *The Quarterly Review* which had prophesied that the new county councils would be responsible for the loss of 'the devotion, sacrifice and high character of the English Squires' who

³² *Guardian*, 18th October 1888, p. 7.

³³ C.R.O., CC1/27/1, Cumberland Police Committee Books, 4th June 1888, Minutes

³⁴ *Boston Guardian*, 12th January 1889 in J.P. D. Dunbabin, 'Expectations of the New County Councils and their Realisation', *Historical Journal*, 8, No. 3 (1965), p. 364.

³⁵ J.P.D. Dunbabin, 'Expectations' p. 364.

³⁶ J. D. Marshall, *The History of Lancashire County Council 1889-1974* (London: Martin Robertson and Company Ltd., 1977), pp. 50-51.

would no longer be 'at the helm'. The *Review* maintained that this loss of county leaders made it imperative 'to prevent representative institutions succumbing to jobbery'. Such a state of affairs must be avoided by 'active and vigilant public opinion' which could only be sustained 'by means of party organisation'.³⁷ In Lancashire it appeared initially that 'political contests' would be the 'exception' in the first elections, since most people felt that the most competent men should be chosen whatever their politics.³⁸ However, in the event, most of the candidates stood for a political party or were 'partly, at least, obliged in the course of the contest to depend upon the help of other political friends'.³⁹

Avoidance of partisanship in the forthcoming elections was also recommended by some campaigners in Durham. Although they did not share 'the same view of politics' Mr Walker nominated Mr Feetham as a candidate for Aycliffe, because he thought that 'politics should be eliminated from the matter'.⁴⁰ Mr Paulton, a Durham MP considered that 'the work of the County Council should as far as possible be independent of party politics' since in both parties there would be men who were qualified to hold office.⁴¹ However, the local press did not hesitate to display its party colours. For example, one editorial which reported that 'a small Conservative Caucus' had recently 'selected four candidates from the Conservatives and Unionists for the four divisions of Darlington' commented ironically 'This is what our friends call working on non-political lines'.⁴²

Indeed, as Stuart Drummond pointed out, preparations for the election in Durham had 'quickly acquired the political character of which so many of the high-minded disapproved', despite the fact that party allegiances often fluctuated during this period.⁴³ He also noted that about two thirds of the contests had been between 'Conservatives or Unionists and Liberals or their Working-Men allies, and only some half dozen were internecine or broadly 'unpolitical'. Furthermore, the 'flaunting of colours' and the use of local party organisations were the norm.⁴⁴ Although the

³⁷ *Quarterly Review*, 11 (1888), p. 542.

³⁸ *Guardian*, 17th November 1888, p. 9.

³⁹ *Manchester Times*, 19th January 1889, p. 2.

⁴⁰ *Northern Echo*, 13th November 1888, p. 4.

⁴¹ *Northern Echo*, 19th November 1888, p. 3.

⁴² *Northern Echo*, 24th November 1888, p. 3.

⁴³ S. Drummond, 'The Election of the First Durham County Council', *Public Administration* (Summer 1962), p. 144.

⁴⁴ Drummond, 'Election', p. 145.

election of the 1889 county council provided the first real opportunity for 'working men' to participate in local government, labour representation in the county actually dated from 1885, when William Crawford and John Wilson were returned to parliament as mining MPs for the constituencies of Mid-Durham and Houghton-le-Spring.⁴⁵ The arrangement whereby Liberals provided opportunities for the representation of Working Men and could depend on the support of their partners for Liberal policies worked to the advantage of both groups. In 1892, Liberals and the Durham Miners Association gained control of the county council, and the Conservatives never regained power.⁴⁶ Nevertheless, this alliance began to break down in the late 1890s when 'the unions desired to increase their representation rather more rapidly than the Liberal associations were prepared to provide seats'. This split led to the Labour Representation Committee fielding its own candidates.⁴⁷

As in the case of the other two counties, the concerns of the candidates and the electorate of Cumberland and Westmorland eventually surfaced in the local press, despite earlier calls for open mindedness. Initially however, although the party affiliation of the Cumberland candidates was mentioned in the campaign, none of the Westmorland candidates stood on an overtly party political platform. Instead, the influence of Kendal, where a clique, known locally as 'the Family' who were tightly bound by business interests, family connections and paternalism had held sway earlier in the century, still affected the political climate of this small county.⁴⁸ The *Westmorland Gazette* predicted that 'many voters' would be 'influenced by their political prepossessions'. However, they considered that it was a 'ground for deep satisfaction' that there had been 'no open appeals to political feelings or political interest'.⁴⁹ In contrast, on the same day the *Whitehaven News* expressed an opposite point of view with reference to the Cumberland election: 'It is nonsense to say that politics have nothing to do with it. The same policy that is good for the country is good for

⁴⁵ A. W. Purdue, 'Arthur Henderson and Liberal, Liberal-Labour and Labour Politics in the North-East of England, 1892-1903, *Northern History*, 11 (1975), p. 197.

⁴⁶ Drummond, 'Election', p. 150.

⁴⁷ Purdue, 'Arthur Henderson', p. 198.

⁴⁸ See D. S. Tate, 'The Kendal Elite: their cohesiveness and their Challengers, 1855-85', unpublished MA dissertation, University of Lancaster, 1976. Tate charted the changing nature of this group in which political and religious allegiances had been of less importance than the other links between them. Although there had been some revival in political feeling with the appearance of the Kendal Conservative and Liberal Associations in 1872, challenges to the elite from the ratepayers' group on the Town Council and the influence of county society within the town, its position remained strong. This goes some way towards explaining the absence of party activity in the County Council election

⁴⁹ *Westmorland Gazette*, 19th January 1889, p. 5.

the county [...] it is certain that at the councils there will be a party of reaction and a party of progression'.⁵⁰ In 1889, there were no Labour candidates in either Westmorland or Cumberland.⁵¹

Despite the early absence of professed party loyalty in Westmorland, it was certainly possible to detect it in divisions where there were contests between landlord and tenant. For example, in the Lunesdale division of Westmorland C. W. Wilson, a local landowner was standing against Mr Harrison, a tenant farmer. At a meeting of electors in Casterton, Wilson made a strong claim to be the better candidate. He argued that since he had been a magistrate for 24 years he had performed 'similar duties' to those that would be required from a county councillor and as one of the 'greatest ratepayers in the district' he would be the more likely person to protect the interests of local ratepayers. Referring to a speech made by Mr Harrison in which he had apologised for 'not being eloquent', Wilson said that he thought it was important that an elected councillor could 'speak his mind' and 'say whatever was needed to be said'. His commitment 'to curtail his favourite pastime of hunting' if he was elected caused much hilarity.⁵²

Interestingly, it appears that even Gladstone was undecided about whether party political interest should play a part in the county council elections. In response to a Liberal candidate's request for his support he stated that although 'it would give him great pleasure to see Liberal candidates elected to the county councils', he felt that it was unwise 'to give a political colour to the elections'. However, a second telegram to the candidate in question appears to have somewhat countermanded his first missive.⁵³

Political bias can also be detected in the Westmorland press in pronouncements about the suitability of magistrates as candidates in the forthcoming election. The Conservative *Westmorland*

⁵⁰ *Whitehaven News*, 17th January 1889, p. 7.

⁵¹ See R. Tuft, 'The Social and Political Composition of the Early Cumberland County Councils 1889-1914', unpublished MA dissertation, University of Lancaster, 1976, pp. 1-12

Although there were no Labour councillors in Westmorland in the next two decades, by 1893, the Cumberland Labour Electoral Association had published a manifesto with its stated objective of 'full, direct and independent representation of Labour in Parliament, County Councils, Town Councils and all public bodies'. As a result six candidates stood unsuccessfully for coastal industrial divisions but it was 1901 before labour was represented on the county council. There is little evidence of the Liberal-Working Men pact which had existed in Durham, but the Liberals who considered that they had assisted the fledgling Labour party in West Cumberland were mightily offended by the 'ingratitude' of Labour candidates who attacked the Liberal Party.

⁵² *Kendal Mercury*, 18th January 1889, p. 3.

⁵³ *Guardian*, 21st January 1889, p. 5.

Gazette considered that the large number of magistrates who were certain to be elected to the council were ‘a guarantee’ of ‘administrative experience and wisdom’ which would be ‘absolutely indispensable to its reputation and efficiency’.⁵⁴ On the other hand, although the Liberal *Kendal Mercury* recognised the desirability of some ‘experienced magistrates’ being elected, it hoped that the new Council would not be composed of ‘a number of men who would simply be an echo of the landed and magisterial class’. Men were needed who would ‘think and venture to act independently’. It added that it would be a mistake to think that the better of two candidates was the one who had more free time.⁵⁵

There were underlying implications for the future position of county chief constables in the provisions of the 1888 Act. One of the most significant outcomes of the statute was the diminution of the power and influence of the magistracy as their former responsibilities contracted, leaving them only their role in the administration of justice and the opportunity to preserve some remnants of their former authority by serving on the SJC. For a chief constable who had formerly enjoyed a productive relationship with his constabulary committee the support of local magistrates on the SJC could have been a positive development. However, this support might not count for much if the SJC was composed of active politicians, which was a distinct likelihood, considering the accounts of party involvement in the election campaign.

The first County Councils and their Chairmen

Although there are gaps in the available County Council Election results for the four counties and the headings ‘Independent’ and ‘Other’ can mask political leanings, they throw up some interesting comparisons.

⁵⁴ *Westmorland Gazette*, 19th January 1889, p. 5.

⁵⁵ *Kendal Mercury*, 18th January 1889, p. 5.

**TABLE 4 Balance of political parties on the first
County Councils**

	FIRST ELECTION RESULTS										RESULTS AFTER BY-ELECTIONS							
	C	%	L	%	LU	%	I	%	W	%	C	%	L	%	LU	%	O	%
Durham	28	42	26	39	8	12			4	6								
Lancashire	49	46	46	43	7	6	3	3			60	43	60	43	7	5	13	9
Cumberland	24	40	50	50	6	10					33	41	37	47	9	11		
Westmorland	30	73	14	14	3	7												

Key: C = Conservative; L = Liberal; LU = Liberal Unionist; I = Independent; W = Working Men;
O = Other

Sources: *Guardian*, 5th January 1889, p. 8; *Durham County Advertiser*, January 1889; *Leeds Mercury*, 22nd January 1889, p. 8; *Guardian*, 29th January 1889 p. 8, Drummond, *Election*, p. 150, Marshall, ‘History’, p. 56.

In Westmorland, the Conservatives and the Liberal Unionists who were likely to vote with them were definitely in command with a majority of 25. At first sight, the Lancashire and Durham Councils appear almost balanced between the two major parties, but if the numbers of Conservatives and Liberal Unionists are combined, a majority of ten over the Liberals would be produced in each County. However, in Durham the four Working Men councillors whose allegiance lay with the Liberals reduced the majority of the Conservatives and Liberal Unionists to six. In Cumberland, there was effectively a tied result where Conservatives won 24 seats, Liberals 30 and Liberal Unionists six. A week or two after the main contest, by-elections were held to fill the council places that had been vacated by the newly appointed aldermen. Full details of the new polls are only available for Cumberland where there was now a majority for the Tories and Lancashire where the Conservative and Liberal Unionist majority was slightly reduced. When by-elections had been held to fill the 13 vacancies in Durham there was a Conservative majority of 10

in the Council of 96.⁵⁶ Although there is no evidence about the political allegiance of the 12 men from outside the council who had been elected as aldermen in Westmorland it seems certain that they contributed to a strong Tory majority on the Council.

Despite the fact that party affiliation played a more significant part in the campaign than had been anticipated, there is no evidence to show that there were any outbreaks of disorder at the 1889 elections. Therefore, it had not been necessary to draft in extra police and their chief constables to restore law and order, as had often been the case at general elections. Only four years previously at the 1885 General Election it had been necessary to import police and troops into numerous counties, including Somerset, Sussex, Glamorgan, Suffolk and Nottinghamshire. Serious riots had broken out not only in large urban centres but also in small towns and rural areas where 'aggressive mobs' attacked the police and members of the public, causing serious injuries.⁵⁷

Although the Liberal Unionists were weak in numbers in the first northern county councils, their voting power in the council and the SJC could be significant when they sided with the Conservatives. The alliance with the Conservatives of Sir H. Havelock-Allen and Thomas Richardson who had been returned as Durham Liberal Unionist MPs in 1886 was certainly viewed with scorn by the local Liberal press. One editorial which gave a breakdown of their parliamentary voting record noted that they had consistently voted with the Conservatives against anything 'liberal' in essence. One particular cause for indignation was the occasion when Richardson had voted against a Liberal amendment to the Local Government Bill, which would have put 'the appointment, control and dismissal of chief constables and management of the police' totally in the hands of the County Council.⁵⁸ Liberal Unionists in Durham planned joint election strategies with the Conservatives and the Liberals accused them of having become 'more Tory than the Tories themselves'.⁵⁹ Typical of the colourful language used to denigrate them was Sir Joseph Pease's comment that they were 'drawers of water and hewers of wood for the Tory party'.⁶⁰ However, by the beginning of 1891 the Liberal press were beginning to talk of Liberal Unionism as 'a decaying

⁵⁶ *Lancaster Gazetteer*, 23rd February 1889, p. 4.

⁵⁷ D. Richter, 'The Role of Mob Riot in Victorian Elections', *Victorian Studies* 1865-1885, xv, 1(1971), p.22.

⁵⁸ *Northern Echo*, 2nd April 1889, p. 4,

⁵⁹ *Northern Echo*, 16th April 1890, p. 4.

⁶⁰ *Northern Echo*, 14th January 1889, p. 3.

force' in County Durham. Without a 'settled policy' it was said, the movement could not win 'popular support' and people were 'unable in practice to differentiate between Liberal Unionism and Toryism'.⁶¹

Political affiliation was still in evidence when the chairmen of the first councils were elected, although it was less apparent in Lancashire than in the other three counties. In seconding the nomination of Sir John Hibbert as Chairman of Lancashire County Council, Alderman Forrest expressed the hope that 'differences of opinion should be kept as much in the background as human nature would permit'. However, he acknowledged that 'there were Tories and there were Liberals' and 'they would be at bottom thinking what would benefit their own side more'.⁶² In Durham there was a very different state of affairs. When John Lloyd Wharton, a Conservative M.P. and Chairman of Quarter Sessions was elected as the first Chairman of Durham County Council, he told the new councillors in his first address that 'Politics' had been absent from 'the conduct of affairs of the Quarter Sessions, and therefore he hoped that 'the same Gentlemanly conduct and the same courtesy' would prevail in the new body, 'independent of politics'.⁶³ However, it was unlikely that the same state of affairs would continue for long in a council that from the start was more socially and politically diverse than the previous composition of Quarter Sessions. In fact, despite Wharton's idealistic agenda for this new vehicle of local government, the first council meeting was not without political undertones. Even before Lord Londonderry had moved that Wharton should be chairman, John Wilson and Richard Armstrong had proposed and seconded Theodore Fry, a Liberal MP for the post.⁶⁴ Unfortunately for Wilson and Armstrong, Lord Londonderry held the trump card: a letter in support of Wharton from Mr Ritchie, the President of the Local Government Board, who spoke very warmly of Wharton's assistance in the conduct of the recent Bill through Parliament, and his 'thorough knowledge of the subject'. In the circumstances, Theodore Fry had

⁶¹ *Northern Echo*, 6th February 1891, p. 2. However, it is important to recognise that this description of Liberal Unionism as 'a decaying force' is somewhat misleading. See, p. 293. In fact, the Liberal Unionists as a separate political 'force' were in decline in the late 1880s because they were increasingly being absorbed into the Conservative party. After the Round Table Conference of Liberals and Liberal Unionists in 1887 failed to establish substantial common ground, the Liberal Unionists were driven 'still further towards the Conservative camp'. Although they continued to sit on the opposition side of the Commons and to maintain their separate electoral organisation, by the close of 1890 they had dropped 'Liberal' from their title and had amalgamated their constituency committees with those of the Conservatives.

⁶² *Guardian*, 15th February 1889, p. 7.

⁶³ A. Orde, *Religion, Business and Society in North-East England The Pease Family of Darlington in the Nineteenth Century* (Stamford: Shaun Tyas, 2000), p.73.

⁶⁴ *Northern Echo*, 8th February 1889, p. 4.

no alternative but to step down. Despite withdrawing his motion, John Wilson expressed his suspicion that 'there had been some arrangement in other quarters', and he wished 'to enter his protest [...] to anything being cut and dried before it came before the Council'. Furthermore, he felt that 'it had been reserved for those who deprecated politics having any part in the proceedings of the Council to themselves introduce the subject of politics'.⁶⁵

Polarised attitudes in the two main Kendal newspapers viewed the election of the first Chairman of Westmorland County Council from opposing standpoints. The *Tory Gazette* had stated that it would be a natural progression for magistrates who had acquired experience as chairmen of the Quarter Sessions to be 'selected as chairmen of the county councils'.⁶⁶ It appears that this was a commonly held view across the country, since men who had previously chaired Quarter Sessions were chosen to lead the newly-elected councils in 22 counties.⁶⁷ However, the *Liberal Mercury* which had suggested that the credentials of Mr Holme who was a magistrate, albeit of the wrong party, would make him an ideal candidate for the chairmanship reported after the first council meeting that 'the wirepullers had been working against' him. As a result, he had 'very generously' stood down to avoid a division and James Cropper, a Liberal Unionist convert and a magistrate of many years standing was unanimously appointed as provisional Chairman.⁶⁸ In Cumberland, William Fletcher, a Liberal held the office for the first three years, to be succeeded by the Liberal Unionist, Henry Howard who chaired the Council until 1914.

Although the county council had no authority over the chief constable, the appointment of the chairman could have important consequences for him. It will be shown in a future chapter that on an occasion when councillors attempted to interfere in police matters, a strong chairman reminded them of the boundaries. Since the four County Councils in this study chose their first chairmen from long serving magistrates, it seems likely that the chief constables and chairmen would have shared experience from the previous administration. Future contact between them would have been facilitated when the first holder of the office had also previously chaired the Quarter Sessions where he would have been directly involved with the chief constable. Such was the situation in

⁶⁵ *Northern Echo*, 8th February 1889, p. 4.

⁶⁶ *Westmorland Gazette*, 19th January 1889, p. 5.

⁶⁷ Keith-Lucas, 'The Government', p. 47.

⁶⁸ *Kendal Mercury*, 8th February 1889, p. 5.

Durham where John Wharton was elected not only as Chairman of the County Council but also as Chairman of the first SJC. This was an interesting state of affairs considering that he had opposed the transfer of the supervision of the county police from Quarter Sessions to the SJCs in the Commons. Wharton's position as an influential Tory MP would also prove to be especially beneficial for the Chief Constable when discussion of Durham police matters was raised in the Commons.

The controversial appointment of Aldermen

Following the first round of election results the new councils proceeded to discuss the thorny issue of how to elect their aldermen (one for every three councillors). As was mentioned in Chapter Three, the councillors could choose to select the aldermen from outside their own number, thus presenting an opportunity to bring more magistrates into the council. Some saw it as a way to provide 'a sop to the landed gentry', by providing 'a back door to the county council to those who were afraid to appeal to the electors'.⁶⁹ Ironically, this method also made it possible to incorporate defeated candidates from the first round of voting. Liberals strongly advocated that the aldermen should be selected from within the new councils. One correspondent in the *Manchester Guardian* saw the election of aldermen as 'an opportunity' to judge 'how far the non-political candidates for the council' would live up to 'their professions'. Furthermore, he considered that any 'attempts to place certain defeated candidates on the aldermanic bench' would represent 'a direct affront to those constituencies which rejected these gentlemen'.⁷⁰

The four counties in this study employed differing methods to elect their aldermen. It appears that there was some dissension among the newly-elected Lancashire Councillors when they discussed how to elect their 35 aldermen. At a lengthy meeting, from which reporters and public were excluded, it was finally agreed to appoint aldermen who would represent different areas of the county from their own number. As the preparations for the Lancashire by-elections got underway acrimony arose about the choice of candidates and their political platforms. Correspondence columns of the local press contained allegations of underhand manoeuvring and outright deception.

⁶⁹ *Guardian*, 5th January 1889, p. 8.

⁷⁰ *Guardian*, 24th January 1889, p. 7.

There appears to have been just as much disagreement in Westmorland over the election of aldermen as there had been in Lancashire. If there had been any doubt about the undercover role played by party politics in the Westmorland election campaign, this was quickly dispelled by the furore surrounding the subsequent aldermanic poll. Correspondents to the *Mercury* were outraged that after the initial election when ‘four-fifths of the Council were either Tories or those undergoing petrification’, a system for the selection of aldermen was devised which ensured that ‘12 out of the 14’ were either Tories or in a state of transition’.⁷¹ Unlike the situation in Lancashire, the main bone of contention was that 12 of the aldermen who were not councillors and therefore not democratically elected had been chosen from outside the newly-elected Council. The legality of the procedure, whereby the aldermen had been selected separately by three groups of councillors who represented the three Poor Law Unions of the county was challenged. Objections were also raised when the Chairman of the County Council omitted to read out the list of the councillors and ‘the names for whom they had voted’.⁷² The contentious election of the Westmorland aldermen took a while to subside. In spite of shows of party feeling in these early days, by the time of the last quarterly meeting of the first Westmorland Council James Cropper’s impressions of the first three years were that their meetings had been ‘free from the curse of party politics’. He added that the Council had been ‘singularly representative of all the classes and conditions of the county’.⁷³

Interestingly, when it was proposed at the first Cumberland County Council meeting that a similar system to that in Lancashire and Westmorland of allocating a fixed number of aldermen to each Poor Law Union should be adopted there was no enthusiasm for the idea.⁷⁴ Surprisingly, available evidence suggests that the aldermanic elections passed off without the squabbling that punctuated events in Westmorland. The Cumberland aldermanic bench had strong links with the county’s former system of local government, including a past chairman of the quarter sessions and three former chairmen of quarter sessions committees who occupied ‘corresponding positions’ in the new Council.⁷⁵

⁷¹ *Kendal Mercury*, 15th February 1889, p. 6.

⁷² *Kendal Mercury*, 15th February 1889, p. 6.

⁷³ *Liverpool Mercury*, 6th February 1892, p. 6.

⁷⁴ *Whitehaven News*, 7th February 1889, p. 4.

⁷⁵ Dunbabin, ‘Expectations’, p. 373.

In Durham, preparations for the elections followed the same path as those in Cumberland and Westmorland with some of the candidates being chosen from outside the Council. John Wilson had moved that the new aldermen should be chosen only from the elected Councillors but his proposal was rejected and in the ensuing election 11 out of the total of 24 aldermen who were elected by Durham County Council were outsiders.⁷⁶ A correspondent's description of the seating arrangements for the first meeting in the overcrowded Shire Hall courtroom makes it quite clear that existing social divisions would (in the near future at least) be observed on the new Council. Whereas the Marquis of Londonderry and his 'friends' positioned themselves in the 'top row of the barristers' seats', the 'labour representatives' had to squeeze into the 'press box'. Moreover, although in theory anyone could be nominated as an alderman, there seems to have been some consensus of opinion about the social standing of suitable candidates. This could be observed when 'an unseemly giggle went round the Council', who considered it to be 'a rich joke' that the name of Mr John Fawcett, a tallow chandler had been put forward.⁷⁷

The occupational backgrounds of county councillors would have some effect on the composition of the SJC. The differing categories of information from the four counties make it impossible to make hard and fast comparisons about this but some general trends can be drawn. For example, Westmorland County Council was the least diverse. 30 of 56 councillors were 'identifiable as country gentlemen, while others were the agents of great landowners'.⁷⁸ A handful of seats went to tenant-farmers, business and professional men.⁷⁹ The number of occupations represented on Lancashire County Council was also limited. The scale of longstanding and varied industrial activity had led to a high proportion of 'new gentry', often second or third generation representatives of families with a background in manufacturing and trade, being elected.⁸⁰ This group was not identified in the results from the other counties. The presence of professional men and small business proprietors who accounted for about 25 per cent of the seats could also be

⁷⁶ Durham Record Office (D.R.O.), CC/A1/1/1, County Council Minutes, Book 1, February 1889.

⁷⁷ *Northern Echo*, 8th February 1889, p. 4.

⁷⁸ Marshall and Walton, *Lake Counties*, p. 122.

⁷⁹ P. J. D. Dunbabin, 'Expectations of the New County Councils and their Realisation', *Historical Journal*, V111 (1965), p. 361.

⁸⁰ Marshall, *History*, p. 9.

attributed to the continuing growth of the industrial sector.⁸¹ Durham was the only county to have trade union officials and working men elected to its first Council. Councillors associated with mining were mentioned in the data for Cumberland and Durham as were tradesmen.⁸² The one common factor on all four councils was the high proportion of landowners. It is clear from Drummond's breakdown of the social and professional status of the candidates in the Durham election and of those who were actually elected that change, however small, was under way. Although his statistics showed that it had certainly been easier for 51 of 73 Landed and Independent Gentlemen, Owners, Managers, Professional Men and Clergy to be elected, as opposed to 13 of 34 Tradesmen, Union Officials and Working Men, the election had marked an important turning point. Marshall concluded that the former Lancashire administration had been 'remarkably like the council that succeeded it, except that it was not elected by the rate-payers'.⁸³ He stated that although there had been 'an upsurge of interest' when the first Lancashire elections took place, the aftermath was 'a resounding anticlimax'.⁸⁴ Led by the highly experienced Liberal, Sir John Hibbert and his Tory deputy, Sir William Houldsworth, the debates in the council chamber were notable for their lack of controversy. Attempts to avoid dissension by maintaining the fairly close balance of the parties were made in the alternating selection of Aldermen and the chairmanship of committees.⁸⁵ By the time of the next election in 1892, when only 14 of the council seats were contested, the waning of public interest was apparent.⁸⁶ He suggested that the reason why the activities of the County Council 'failed to capture the public imagination' was probably due in part to the failure of the local newspapers to report them in detail. In a vicious circle there was probably little of interest to report.⁸⁷ Marshall also attributed the omission of news about county council affairs to the high profile of some borough papers and the absence of a 'county' press.⁸⁸ He suggested that this peaceable situation which was 'surprising in a great industrial county' was due to the backgrounds and experience of the first councillors many of whom had amassed considerable

⁸¹ Marshall, *History*, p. 56.

⁸² Marshall and Walton, *Lake Counties*, p. 121.

⁸³ Marshall, *History*, p. 3.

⁸⁴ Marshall, *History*, p. 5.

⁸⁵ Marshall, *History*, p. 71.

⁸⁶ Marshall, *History*, p. 5.

⁸⁷ Marshall, *History*, p. 52.

⁸⁸ Marshall, *History*, p. 52.

administrative expertise at district or borough level.⁸⁹ The number of large towns in Lancashire with borough status which provided ‘men of culture, leisure and ability’ set the county apart from the others in the north.⁹⁰

In the new system of police administration chief constables would have had considerable contact with members of council committees and officials including the county surveyor and the clerk of peace. One example of this was Dunne’s cooperation with the Cumberland Contagious Diseases Act Committee, whose meetings he invariably attended.⁹¹ Ease of communication between a chief constable and councillors would vary. In some counties, as was stated earlier, the new council was very little different from the Quarter Sessions which preceded it and in those cases some accord between them could be expected. However, the foregoing survey provides some idea of the large range of occupational and social backgrounds of the members of some of the first county councils from whom fifty per cent of an SJC would be chosen. Faced with such a diverse group, a chief constable would have to adjust to an unfamiliar section of society. This would probably have been more straightforward for Dunne than for his two compatriots. In his career, as he moved through the ranks he had come into contact with a wide range of people, whereas the previous military careers of White and Moorsom would not have equipped them in the same kind of way.

Standing Joint Committees take over the police

After the county council elections, the question of the joint Cumberland and Westmorland force’s future was raised. At a Westmorland Quarter Sessions meeting in February 1889, when the Clerk of the Peace had explained the composition, powers and function of the Standing Joint Committee to the magistrates, Chief Constable Dunne reminded them that it would be their prerogative ‘to determine whether the police should continue to be amalgamated with the Cumberland police or not’. He took the opportunity to remind them that under the present system ‘the Westmorland police had worked in a very economical way as well as very efficiently’.⁹² Having been in office for 30 years, he was able to explain how the county justices in 1857 had set up the ‘representative’

⁸⁹ Marshall, *History*, pp. 7-9.

⁹⁰ J. Williams, ‘A Liberal View of County Government’, *Cowen Tracts* (1882), p. 8.

⁹¹ C.R.O., CC1/6/5, Contagious Diseases Act Committee Minutes Book 1890-1895.

⁹² *Kendal Mercury*, 15th February 1889, p. 6.

Police Committee which had been composed of ‘two magistrates from each petty sessional division’. Then a decision to recommend a continuation of the joint policing system to their Cumberland counterparts was taken.⁹³

Electing the members of the SJC was one of the first tasks for county councils and a significant development for the future of the county chief constables. There is no information about the members of the first SJC of Cumberland, Westmorland and Lancashire. However, details from the minutes of the first Durham SJC meeting give some idea of the political and social balance of that group. Although a decision that committees should be composed of 24 people had been taken by the new County Council, it appears that only six of the 12 magistrates who had been appointed to the SJC by the Quarter Sessions were present at the first meeting.⁹⁴ Two of the Magistrates were clergymen, one was a shipbuilder, and the others were described as ‘gentleman’ or ‘landowner’. Three Councillors on the Committee were also described as ‘gentleman’ and the occupations of the others were: miner; mining engineer (2); branch secretary of the Miners’ Union; iron works sub-manager; slate manufacturer; chemist; grocer and doctor.⁹⁵ The known political affiliation of some on this list suggests that no one party dominated the first SJC. The elections for the Committee’s first leaders resulted in the appointment of two people who would most likely be political allies: John Wharton, Conservative as Chairman and Arthur Pease, Liberal Unionist as Vice Chairman. Councillor Horsley, Liberal Unionist proposed them both. Councillor Handyside, Liberal and Councillor Hall whose political allegiance is unknown, seconded his proposals. Both men were elected, unopposed.⁹⁶ The absence of a contest for the Chairmanship and Vice Chairmanship suggests that at this early stage party loyalty was considered less important than reputation and that genuine efforts were made, by some at least, to introduce a balance of power.

The large percentage of magistrates on some of the first councils and the potential for them to dominate the SJC was demonstrated in Gloucestershire, where Sir John Dorington, like a number of other Quarter Sessions Chairmen made the seamless transition to the chairmanship of the County

⁹³ *Kendal Mercury*, 15th February 1889, p. 6.

⁹⁴ D.R.O., CC/A10/1/1, S. J. C. Minutes, Book 1, 8th May 1889.

⁹⁵ D.R.O., CC/X 152, Results of 1889 Durham County Council Elections – names, addresses, occupations of candidates elected and electoral divisions.

⁹⁶ D.R.O., CC/A10/1/1, S.J.C. Minutes, 8th May 1889.

Council in 1889. He devised a unique plan ‘which aimed at perpetuating the power and position of the magistracy’, by ‘placing the whole of the County Council and an equal number of justices’ on the SJC.⁹⁷ One stated ‘advantage’ of this scheme which reveals the intention of the Quarter Sessions was that ‘it retained for the service of the County a considerable number of gentlemen well acquainted with County business’ who had been ‘excluded’ because of ‘the limited numbers’ of the SJC.⁹⁸ Jerrard commented that Dorington had attempted to mask the effects of this move by describing it as ‘the best ideal of local government’, but in reality he had created ‘a perpetuation of the old government, more than in any other county in respect of the Standing Joint Committee’.⁹⁹

It quickly became apparent that the SJC was going to be an important component of the new system. In its supervision of the county police it would have ‘full power’ over police expenditure ‘and all that the Council had to do was to provide sufficient money’ without questioning how or why the expense had been incurred.¹⁰⁰ However it was the vexed matter of their liability for the construction and upkeep of buildings associated with the police, which preoccupied SJCs and county councils. It was to be expected that the SJCs would be responsible for police stations and lock ups, but the central problem for the new county councils was the finance connected with county property ‘of a judicial nature’, for example, county halls which were partly used ‘for the administration of justice’.¹⁰¹ Confusion about the financial powers of SJCs continued in ensuing years. For example, in 1891 a correspondent in *Justice of the Peace* asked ‘In what body is the obligation to pay the police cast?’ He found it difficult to comprehend how an SJC could be responsible for both appointing the chief constable and deciding his salary, since the first responsibility appeared to be ‘a matter of concord and government’ and the second, ‘one of finance or application of the police rate’. The response to his query, suggesting that he was taking ‘too limited a view’ of the powers of the Standing Joint Committee referred him to recent court cases where such powers had been in dispute. In reference to the chief constable it stated that ‘the Standing Joint Committee was in charge of paying the police, but the council were ‘bound to

⁹⁷ Jerrard, ‘Gloucestershire Police’, p. 17

⁹⁸ Jerrard, ‘Gloucestershire Police’, p. 171.

⁹⁹ Jerrard, ‘Gloucestershire Police’, p. 172.

¹⁰⁰ *Ipswich Journal*, 26th April 1889, p. 3.

¹⁰¹ Hart, *British Police*, p. 99.

supply the necessary funds'. Moreover the Committee was 'the proper body to appoint the chief constable'.¹⁰²

Dissatisfaction with the role and power of the SJC was one of the motivating factors behind the formation of the Association of County Councils towards the end of 1889. William Seatree and Miles MacInnes who had attended an early meeting of the Association of County Councils reported back to Cumberland County Council that there had been considerable interest in 'the constitution and powers of the SJC and its relation to the County Council'. However, although the topic 'was fully and usefully discussed' 'no resolution was passed [...] there being a great difference of opinion'.¹⁰³ In June 1891 the Westmorland Clerk reported to the County Council that he had received a letter 'as to vesting control of County Police in County Councils', but there is no record of discussion on the matter.¹⁰⁴ Over the ensuing years, particularly towards the turn of the century, there were moves to get the Standing Joint Committees abolished and to have control of the police transferred to the county councils. However, although these were rejected by successive governments, the power of the SJCs was greatly diluted during the twentieth century as they were bypassed by the Home Office which increasingly dealt directly with chief constables.

SJC support for the chief constable, or lack of it, would be partly gauged by the way in which members of the Committee responded to their requests. Although many of these concerned bread and butter matters such as the supply of clothing and accoutrements, the locating of lock-ups and police stations and the provision of pensions, the most significant issues were associated with proposed increases in pay and additions to the constabulary. In addition, the chief constables expressed other concerns on a variety of topics including the nature or extent of the force's workload. Equally important for the chief constables was their expectation of backing from the Committee in the event of criticism or any legal action from the public.

¹⁰² Skyrme, *Justice*, 7th February 1891, p. 90.

¹⁰³ C.R.O., CC/2/72, Cumberland Clerk Department, Administrative Papers, May 1890.

¹⁰⁴ K.R.O., Westmorland County Council Minutes, June 1891.

Conclusion

Although the composition of some of the first county councils was very similar to that of the Quarter Sessions which had preceded them, the move to a partially elected supervisory body for the provincial police can be viewed as a fundamental change in the management role of the chief constable, despite the fact that the speed of transition to a more democratically elected body varied across the country. Moreover, the parliamentary decision to vest the appointment of county chief constables in the hands of the SJC represented a significant victory for democratically minded MPs and another nail in the coffin for the authority of the county magistracy.

There was no lack of interest in the legislation and evidence has revealed differing views about the incoming system. These ranged from out and out opposition, through attitudes of letting well alone and resignation to real enthusiasm for what some saw as a momentous measure. Likewise, disentangling the involvement of party politics in the passage of the Act is not straightforward. The wheeling and dealing of the Conservative government to accommodate the Liberal Unionists was a necessary evil. At local level there were attempts to avoid party involvement although such an idealistic stance was often abandoned later, particularly in the aldermanic elections. There was certainly no nationally agreed policy platform for county council candidates of either of the main parties.

The SJC had more power over the police than its predecessor, the Constabulary Committee of the Quarter Sessions. Whereas the Constabulary Committee had been an advisory body, the SJC not only formulated policy but also controlled spending on the police. Moreover, analysis of the elections of councils, SJC chairmen and aldermen has demonstrated a new potential for party activists to exert control over police forces and their chief constables. In fact, Michael Pike's judgement that county chief constables 'enjoyed a looser relationship' with the SJC than they had with the magistracy and that county forces developed 'free of any rigid political influence' after 1888 was too much of a generalisation.¹⁰⁵ In fact, one of the main findings that emerged from the investigation for this chapter was the degree to which party politics pervaded this change in local government.

¹⁰⁵ M.S. Pike, *The Principles of Policing* (London: The Macmillan Press Ltd., 1985), p. 17.

In subsequent chapters, evidence from primary sources will reveal whether actions of the SJs, such as proposing, seconding and voting for motions and amendments, together with actual voting patterns, had a substantive effect on the authority of the chief constables. Information about how the supervision of the police was affected by the motives and influence of the SJ chairman and the membership of sub-committees will be included. In addition, attention will be paid to the relationship between the SJ and the county council, and the way in which the simultaneous membership of both bodies could be subverted.

Chapter Five The Policing of Industrial Disorder 1890-1893. Its Impact on the Position of County Chief Constables

Taylor contended (as detailed in Chapter One) that historians had given limited attention to the 'obstacles' encountered by Victorian chief constables.¹ He also commented that since local conditions could vary considerably it was impossible to generalise about the difficulties that they faced. Without doubt, the economic downturn of the early 1890s with its attendant strikes and disruption caused severe problems for some chief constables at a time when the new system of county police supervision was in its infancy. In this chapter, a review of their attempts to control such situations will reveal that Standing Joint Committees usually allowed them to take the initiative when disturbances occurred or were threatened. However, evidence will also demonstrate that their autonomous attempts to restore peace or prevent violence were sometimes ill-judged and unsuccessful. Furthermore, it will become obvious that the potential for political interference in their management of the constabulary which was predicted in the last chapter became a reality for some of them. Their pivotal role in the maintenance of law and order in industrial districts will be primarily illustrated by reference to the part played by a chief constable in a series of events which were initiated by a miners' strike and to the actions of chief constables when local unrest obliged them to apply to other constabularies or military authorities for assistance.

A number of historians have addressed the involvement of police forces in the handling of strikes and the disorder which was associated with them. However, the majority of them have concentrated on twentieth-century events and the changing balance of power between the Home Office and local authorities. In these studies there is little discussion of the chief constable's autonomy in such situations, although in her analysis of strikes between 1910 and 1926 Barbara Weinberger noted their 'ambiguous statutory position' as they became more responsible to the Home Office and less accountable to their Standing Joint Committees. She added that this could place a chief constable in a 'delicate position' although he could maintain that he was 'answerable to the law alone'.² In her review of labour disputes from 1900-1939, Jane Morgan also examined the growing influence of

¹ D. Taylor, *The new police in nineteenth-century England crime, conflict and control* (Manchester: Manchester University Press, 1997), p. 6.

² B. Weinberger, 'Keeping the Peace: Policing Strikes in Britain 1906-1926' *History Today*, 37, 12 (1987), pp. 29-30.

the Home Office in provincial policing and the decline of local authority control. She discussed the use of the armed forces during the general strike and the methods employed by the police at labour meetings and marches, especially the marches of the unemployed in the 1920s and 30s.³ Richard Vogler took an extended historical view of how the magistracy, the police and the army were involved in the suppression of riot. With reference to major incidents of unrest, he explored the changing balance of relations between the three agencies, concluding that whereas the involvement of the magistracy diminished in the latter years of the nineteenth century, the role of the police became much more significant, particularly when chief constables were deputed to call in military aid when it was needed. In this chapter detailed attention is paid to the chief constables' control of industrial disorder in situations which Vogler and other historians did not address.⁴ Although findings concur with Vogler's conclusion that chief constables played a greater role than the magistracy in the control of industrial unrest towards the end of the century, they also show that the shift in the balance of power had begun earlier than Vogler had suggested.

Repercussions of the Silksworth Colliery strike

The disturbances at Silksworth Colliery Durham in February 1891 which instigated a unique series of events are an appropriate starting point for this assessment of the authority of county chief constables in their efforts to tackle strike related disorder. The miners had been on strike for three months over the refusal of mine deputies to join the Miners' Union. In February, when the mine owner, Lord Londonderry had obtained warrants for the eviction of miners from colliery property, he was attacked widely in the press for what many saw as the inhuman treatment of his workers.⁵ He was reported to have 'carried away some useful hints as to the management of his tenants' in Durham from his time as Viceroy of Ireland, since at Silksworth a 'very fair imitation' of what happened 'at an Irish eviction' was occurring.⁶

³ J. Morgan, *Conflict and Order: The Police and Labour Disputes in England and Wales 1900-1939* (Oxford: Clarendon Press, 1987).

⁴ R. Vogler, *Reading the Riot Act: the magistracy, the police and the army in civil disorder* (Milton Keynes: Open University Press, 1991).

⁵ *Bristol Mercury*, 6th March 1891, p. 6.

⁶ *Bristol Mercury*, 6th March 1891, p. 6.

The significance of the evictions and the subsequent fall out can be gauged in the long running publicity which they generated in the local and national press. Moreover they give a clear indication of how the position of County Chief Constable White was affected by the situation. On 19th February, he arrived at the colliery with about 230 policemen whose responsibility it was to protect bailiffs who were evicting striking miners from colliery houses. It appears that White, dressed in plain clothes, 'with a pair of field glasses slung across his back', and 'carrying a tightly rolled umbrella' intended to observe from a distance rather than to get involved in supervising the eviction process.⁷ Unfortunately, White was not in the right place at the right time to view an encounter between two of his superintendents and the Liberal MP Samuel Storey outside a nearby farmhouse, where the bailiffs were being billeted. Storey alleged that the two officers had assaulted him when he attempted to talk to some of the bailiffs.⁸ Storey's involvement at Silksworth marked yet another stage in his difficult ongoing relationship with the county police and their chief constables (commented on in Chapter Three). In the Tory press, Storey's intervention was considered to be 'unhelpful', and there were suggestions that he might have bribed at least one of the bailiffs to desist from evicting the miners.⁹

Following Storey's confrontation with the police, a very ugly incident occurred at the continuing evictions, when the police had turned on a crowd who had been pelting them with missiles. Many accounts of the violence appeared in the local and national newspapers over the following days, and there is no doubt that they had charged the crowd with batons and caused some injuries. The inconsistencies in the different versions of the incident appeared in details about the degree of provocation encountered by the police and the extent of the injuries that they inflicted. One report described how facing a repeated volley of stones, they 'came down the hill into the throng like an avalanche boiling with resentment'. They 'pursued the mob, laying about them with their staffs without the least compunction'. Graphic details of the wounds caused by their batons were included.¹⁰ On the other hand, in a more restrained account it was stated that they had 'rushed down

⁷ *Northern Echo*, 21st February 1891, p. 3.

⁸ *Northern Echo*, 2nd March 1891, p. 3.

⁹ *Sunderland Herald*, 21st February 1891, pp. 3-4.

¹⁰ *Northern Echo*, 26th February 1891, p. 3.

the hill at the mob, striking out left and right'.¹¹ The Tory *Newcastle Courant* showed itself to be firmly on the side of the police, claiming that only with the 'greatest provocation' had the police retaliated, and that 'many of the rioters had come on mischief bent' with metal rivets to throw at the police. No mention was made here of the injuries to people in the crowd.¹²

The way in which White's authority would be challenged over this affair was soon illustrated when Storey attempted to introduce a discussion in the Commons about 'the illegal and unjustifiable conduct of the police'.¹³ On this occasion, the Chief Constable became chief defence witness for the police. Although he had been absent when the baton charge occurred, it was his version of events that Henry Matthews, the Home Secretary referred to when Storey broached the matter. Storey argued that there were constitutional grounds for raising the 'question of the police at evictions' in Parliament and that the power of the police who were representatives of the people should not be abused.¹⁴ In response, Matthews reminded Storey that initially he should have taken his complaint to White, since he was responsible for police discipline. If reference to the Chief Constable had not produced a satisfactory outcome, he should have approached the SJC. He also questioned the reliability of witnesses' depositions which Storey had produced, describing them as 'merely written statements taken down in a solicitor's office'.¹⁵ John Wharton, Tory MP and chairman of the Durham SJC spoke in support of White, adding that it had been 'a matter of regret' to hear Storey 'sneer, at Chief Constable White whom he considered to be 'a man of great ability' and 'of the greatest possible courtesy'.¹⁶

The disciplinary role of the Chief Constable was further endorsed in a speech by Joseph Chamberlain which was described as 'one of his most scathing and caustic'.¹⁷ He expressed surprise that Liberals who had advocated county council supervision of the police should present complaints in the House about a locally controlled force. Storey's motion for the adjournment was

¹¹ *Leeds Mercury*, 26th February 1891, p. 3.

¹² *Newcastle Courant*, 28th February 1891, p. 8.

¹³ *The Times*, 6th March 1891, p. 6.

¹⁴ *The Times*, 6th March 1891, p. 6.

¹⁵ *The Times*, 6th March 1891, p. 6.

¹⁶ *The Times*, 6th March 1891, p. 6.

¹⁷ *Bristol Mercury*, 6th March 1891, p. 6.

lost by 84 votes.¹⁸ Storey was absent from the Commons a few days later when John Wharton rather provocatively asked the Home Secretary if he was aware of the outcome of the case against the two superintendents who had been acquitted of the alleged assault against Storey.¹⁹ At a later date, Storey complained about the way in which the matter had been raised in his absence, suggesting that Wharton and Matthews had conspired against him to introduce the question which had not been on the order paper.²⁰ He was supported by Edward Gourley who proceeded to question the Home Secretary about a special meeting of the Durham SJC where the alleged baton charge had been discussed.²¹ In his reply, Matthews, consulting White's account of the unrecorded meeting stated that the conduct of the police at Silksworth had not been criticised. White had told the SJC that the missiles had been thrown from all sections of a 'tumultuous crowd, most of which were strangers to Silksworth', and he had confirmed that no-one as yet, had been arrested. He added that there had been a quorum for the entire meeting.²² An undated letter from the Durham Clerk of the Peace to Wharton who had been absent from the meeting of the Standing Joint Committee, appears to corroborate the Chief Constable's account.²³

At the scheduled Durham SJC meeting on 31st March White stated that five policemen who had been summonsed for 'exceeding their duty' at Silksworth had been exonerated in a nine hour case, and that the 'miners' representatives' had 'commended the forbearance of the police throughout'.²⁴ In a letter to the local press a day or two previously, Storey had disputed Colonel White's account of events at Silksworth and cast doubt on Superintendent Oliver's allegation that iron rivets had been thrown at the police.²⁵ A local source in sympathy with Storey's views suggested that the baton charge was pre-planned and questioned the police's failure to arrest anyone.²⁶ It is surprising that there is no record in the Durham Standing Joint Committee minutes of the earlier special

¹⁸ *The Times*, 6th March 1891, p. 6.

¹⁹ *The Times*, 14th March 1891, p. 8.

²⁰ *The Times*, 17th March 1891, p. 6.

²¹ *The Times*, 17th March 1891, p. 6.

²² *The Times*, 17th March 1891, p. 6.

²³ HO 144/327/B10182, Disturbances: Silksworth, Durham strikes, Correspondence (undated).

²⁴ See *Reynolds Newspaper*, 8th March 1891, p. 3. where John Wilson Liberal MP and Miners' Agent who had witnessed the baton charge, was reported as claiming in the Commons that the Durham Constabulary's action had been totally unnecessary, although he did accept that the police had 'behaved properly at the evictions'. It appears that White had been guilty of exaggerating the level of support from the miners' representatives.

²⁵ *Northern Echo*, 25th March 1891, p. 4.

²⁶ *Sunderland Daily Echo*, 23rd March 1891, pp. 3-4.

meeting that was held to discuss the alleged attack on Storey by the two superintendents and the accusation of police misconduct at the baton charge. Neither is the Committee's involvement alluded to in the correspondence about the affair between White and the Home Office. His three letters and subsequent exchanges of information reinforce the impression that he would be a key figure in the ongoing saga of Silksworth. In the first two he responded to requests for clarification about the alleged assault.²⁷ The third, dated 13th March concerned an affidavit which had been obtained from Frederick Batty, a Sunderland reporter who had witnessed events at Silksworth. White was able to say that it corresponded in all essentials with the evidence that Superintendent Oliver had recently given in court.²⁸

Despite a return to normality at the colliery, the long-running sequel to the events at Silksworth continued to occupy the pages of the local and national press for several more months. However, the controversy became less of an investigation into alleged police misconduct at an incident of public disorder and more an opportunity for political infighting. In fact, it seems highly likely that even without the Silksworth fallout the chief participants in this affair would have been involved in local political conflict. The dismissal of the charges against the police was followed by a flurry of tit for tat court actions which appear to have been instigated by White and Storey. For example, without evidence of the SJC's involvement, it was probably White who arranged for Superintendent Burrell to allege that Storey had been guilty of perjury in the assault charge against himself and Oliver.²⁹ However, before Storey was formally charged, Robert Brewis, one of the complainants in the failed case against the police, had taken out summonses for perjury against three policemen.³⁰ The only mention of cases against the police in SJC minutes appears in the record of the May meeting, which contains a Notice of Action by 20 complainants against police officers for 'assault' and 'excessive force'.³¹ In the meantime, much publicity had ensued from the decision of the county magistrates who had been 'reluctantly compelled' to send the perjury case

²⁷ HO 144/327/B10182, Correspondence, 25th February 1891.

²⁸ HO 144/327/B10182, Correspondence, 13th March 1891.

²⁹ *Northern Echo*, 11th April 1891, p. 4.

³⁰ *Northern Echo*, 8th April 1891, p. 3.

³¹ D.R.O., CC/A10/1/1, SJC Minutes, May 1891.

against Storey for trial.³² When the case had been quashed on a technicality by the Lord Chief Justice, Storey was quick to condemn the charge as vindictive and retaliatory.³³ Two months later he was summoned to face a further charge of perjury at the forthcoming Assizes where two of the Constables accused by Brewis were to appear.³⁴ However, all three men were acquitted when Mr Justice Day expressed concern that since the events in question had happened some time ago, it could be 'a matter of reasonable doubt as to whether a man may or may not have been mistaken'.³⁵

A headline on the following day worded 'The end of it all' proved to be over optimistic when Storey reignited the controversy by producing a recent letter from White to Sir Joseph Pease in which he was responding to Pease's concern about the tortuous ongoing court cases.³⁶ White attributed 'the troublesome proceedings connected with the Silksworth evictions' entirely to 'the interference of Mr Storey'.³⁷ Defending the two superintendents who had featured in Storey's initial case against the police as men 'of long experience and high character', he added that he had 'sanctioned' the men to clear their names.³⁸ He reminded Pease that the SJC had accepted his report on the baton charge, and that support had been received both from Lord Londonderry who had paid the defence costs in the first case and also from the SJC who had agreed to finance the defence of those accused of brutality at the baton charge. White's letter concluded with a reference to 'some arrangement that could be effected without compromising either party' and suggested that this could be achieved by the agreement of the two counsels.³⁹

In a direct attack on White, Storey questioned whether it was 'for the public safety [...] that the Durham police should be officered by men capable of the conduct herein exposed' and maintained

³² *Northern Echo*, 20th April 1891, p. 4. See also *Leeds Mercury*, 20th April 1891, p. 4. *Liverpool Mercury*, 20th April 1891, p. 5.

³³ *Pall Mall Gazette*, 14th May 1891, p. 6.

The dismissal of the case against Storey was widely reported. For example see also *Hampshire Telegraph*, 16th May 1891, p. 2 which castigated the Durham magistrates who had shown themselves to be 'such partisans' that they were 'blinded to the elementary principles of law' and had packed the bench 'in order to strike a blow at a political opponent', and *Reynolds Newspaper*, 17th May 1891, p.6 which spoke of the 'Durham Tories' who 'wanted to injure and insult Mr Storey, not only for the good work he did in connection with the Silksworth evictions, but also because he was 'the most formidable opponent of Toryism in that part of England'.

³⁴ *Aberdeen Weekly Journal*, 10th July 1891, p. 4.

³⁵ *Birmingham Daily Post*, 17th July 1891, p. 4.

³⁶ *Northern Echo*, 18th July 1891, p. 3.

³⁷ *Northern Echo*, 18th July 1891, p. 3.

³⁸ *Northern Echo*, 18th July 1891, p. 3.

³⁹ *Northern Echo*, 18th July 1891, p. 3.

that the law had been 'abused' when 'civil actions' against guilty men had been withdrawn.⁴⁰ In the Commons, he advised Matthews to take note of White's suggestion for bringing the court proceedings to a halt.⁴¹ Matthews' understanding was that the judge and the counsel had agreed on the curtailing of the cases and he restated that complaints about the county police should have been referred to the Durham SJC.⁴² Storey accused White of choosing 'an ordinary policeman' to prosecute him in each of the perjury cases and of arranging the payment of the costs to be met by Londonderry, instead of through county funds.⁴³ He maintained that his recent case was brought because he wanted to prevent Londonderry, White and the other police involved from escaping 'scot free'.⁴⁴ Londonderry insisted that the only financial assistance that he had given was for the defence of the two policemen in the assault case brought by Storey.⁴⁵ After this retaliatory crossfire, the affair gradually drew to a close, but not before Storey had brought a successful six day libel case against a local newspaper company which was completed in February 1892.⁴⁶

The sequel of the events at Silksworth has been identified as a significant episode in Samuel Storey's attempt to undermine White and the Durham police. Nevertheless, White was not an innocent bystander. Although Storey may have been responsible for initiating the ongoing court actions by precipitating the confrontation at the Silksworth evictions, White ensured their continuation when he encouraged the two absolved superintendents to vindicate themselves by bringing the first perjury case against Storey. Similarly, whereas Storey arranged for the complainants to accuse the police of brutality in their charge against the crowd at Silksworth, it was White who instigated a further perjury case against Storey after they had been exonerated. The dissent between the two men became more personal when Storey cast doubt on White's version of events at the baton charge. Moreover when he accused White of obtaining funding from Lord Londonderry for the perjury cases against him and maintained that he had manipulated a

⁴⁰ *Northern Echo*, 18th July 1891, p. 3.

⁴¹ *The Times*, 24th July 1891, p. 6.

⁴² *The Times*, 24th July 1891, p. 6.

⁴³ Compare this accusation that White had chosen 'an ordinary policeman' to bring the case against him with a report of how Maurice Moore, a solicitor, had been briefed by Storey, his Father-In-Law before the nine hour case against the police in March to visit Burlinson, one of the complainants in hospital with a paper to sign. Later, in court, Burlinson could not recognise any of the defenders as his attacker, *Newcastle Courant*, 28th March 1891, p. 5.

⁴⁴ *The Times*, 24th July 1891, p. 6.

⁴⁵ *The Times*, 26th July 1891, p. 6.

⁴⁶ *Hampshire Telegraph*, 13th February 1892, p. 2.

conclusion to the trial, the affair was no longer concerned with the misdemeanours of the Durham police but had turned into a slanging match between the two men. The contents of White's letter to Pease revealed what he thought of Storey's role in the whole affair. He accepted no blame for the chain of events, hotly disputing Storey's accusation that he had arranged for Londonderry to defray the cost of the perjury case against him. Storey's most direct attacks on the Chief Constable came when he accused him of a lack of integrity and suggested that he was unsuitable for the post of chief constable. Nevertheless, it has to be remembered that there were no winners in this confrontation and despite Storey's best efforts he had been unable to present a serious challenge to White's oversight of the Durham police. Even so, the episode suggests that there was the potential for a strong politician who was not even a member of a police authority, to use his influence to discredit a chief constable. Moreover, the unexpected party political activity in some areas during the 1889 county council elections had hinted at the possibility of future battles about local issues and it was shown that control of the police was a subject which divided people along party lines. In this case, White was a police leader of long standing with a circle of powerful friends, including county magistrates, local gentry, coal owners and Tory MPs. In other circumstances a chief constable would have been more vulnerable. However, there were no reports of any similar incidents occurring elsewhere and the ongoing national interest in the Durham episode suggests that it was a one-off.

The role of Chief Constables in the lending and borrowing of extra police and the importation of military aid

Much of the available evidence for an assessment of the extent of chief constables' authority during the years in question concerns events in the coalmining counties where the most prolonged strikes and the most frequent disruption occurred. Their chief problem was maintaining or re-establishing control with inadequately manned forces. In 1890, Section 25 of the Police Act had introduced a scheme whereby mutual aid could be provided between borough and county constabularies in cases of emergency.⁴⁷ Although SJs usually allowed their chief constables to organise the county's participation in the scheme, it was often difficult in practice for chief constables to avail themselves

⁴⁷ Police Act, 1890, 53 & 54 Vic.c.45

of this provision, or to avoid the blame that was attributed by those who considered the use of extra police or troops as costly and unnecessary.

Although colliery strikes had affected several counties in the early years of the new police administration the most extensive stoppage occurred in March 1892, when the Miners' Federation called upon all its members to walk out. The cause of the strikes was the coal owners' decision to reduce miners' wages when overproduction had led to declining profits.⁴⁸ In Durham, Colonel White who was due to retire at the end of the month acted independently of the SJC when he imported extra police and troops in response to the exacerbating disorder. Concern about the local situation had been voiced in a letter from Walter James MP to the Home Office, in which he expressed anxiety about the unrest at Hebburn Colliery, where two pumping engines could not be used because of 'threats and intimidations' from striking miners. The Home Office advised James to contact White, the Durham SJC and if necessary the local magistrates who would be responsible for calling in military aid.⁴⁹ It seems strange that James had not contacted the SJC or White in the first place, although later in the chapter evidence will show that it was not uncommon for MPs to be unaware of the procedures for dealing with unrest. Furthermore, there were problems at other Durham collieries and perhaps James considered that a direct request to the Home office would bring a quicker response. There is no evidence of communication between White and the SJC at this stage and it appears that he acted on his own initiative as within hours he had sent a telegram to the Home Office, reporting that he had brought in a 'reinforcement of 100 constables from adjoining counties'.⁵⁰ The Home Office advised him that if this number was not sufficient he should bring in more police or troops. Further communications show that three contingents of troops were sent to the Durham collieries, one of which was returned to base since its presence was deemed unnecessary.⁵¹

When trouble broke out in the colliery districts of Nottinghamshire and Derbyshire in a similar situation during the autumn of the following year, there is no evidence to suggest that the Chief Constables' freedom to bring in reinforcements was any more restricted than that of their

⁴⁸ *Birmingham Daily Post*, 12th March 1892, p. 5.

⁴⁹ HO 144/327/B10182, Correspondence, 25th March 1892.

⁵⁰ HO 144/327/B10182, Telegram, 25th March 1892

⁵¹ HO 144/327/B10182, Telegram, 26th March 1892

counterpart in Durham. In Nottinghamshire, Thomasson's panicky telegram to the Home Office on 7th September indicated that the situation at some collieries was becoming uncontrollable. He needed immediate assistance since the county police was being 'overpowered', collieries 'wrecked and burnt', 'telephone and telegraph wires cut'. Most of his previous requests for help had been refused.⁵² By return, he was informed that 75 men on foot and 50 mounted were being sent from the Metropolitan Police by train that same night.⁵³ Next day, a message was received in London to the effect that the men had arrived and everything was quiet.⁵⁴ Interestingly, Thomasson had failed to tell the Home Office that he had also asked a local magistrate to obtain assistance from the regional military authorities. A letter to the War Office recorded that the arrival of detachments at Eastwood and Mansfield Collieries had forestalled trouble and prevented further damage at New Watnall. At Eastwood, the officer in charge considered that 'local reports' of expected trouble had been 'somewhat exaggerated'.⁵⁵ When unrest spread to the vicinity of Nottingham, the Watch Committee prepared for 'anticipated colliery riots' with urgent requests to the Metropolitan Police for '50 men at short notice, if they were needed'.⁵⁶

Major Godfrey, Chief Constable of the adjoining county of Derbyshire, encountered the same kind of problems as Thomasson in late August and early September 1893. Home Office correspondence reveals that he, like Thomasson, was the prime mover in seeking assistance from other forces and the military authorities. However, it appears that he had totally miscalculated the severity of the local situation. At first he wrote to the Home Office in measured tones about his plan to remove police from 'the least important beats' in the west of the county and to station them in Chesterfield which was the centre of the coal mining district. He would bring in special constables to fill the gaps left by the removed police.⁵⁷ However, within a few days he had contacted the Home Office about a need for more police to deal with threatened disorder at Alfreton. Failing to obtain a positive response when he had tried to borrow extra police from Birmingham, Salford and Manchester, he had applied, through a magistrate, for assistance from Yorkshire garrisons for 150

⁵² HO 144/250/A55059, Coal strike in Nottingham, Military and Police arrangements, Correspondence, 7th September 1893.

⁵³ HO 144/250/A55059, Telegram, 7th September 1893.

⁵⁴ HO 144/250/A55059, Correspondence, 8th September 1893.

⁵⁵ HO 144/250/A55059, Correspondence, 7th-8th September 1893.

⁵⁶ HO 144/250/A55059, Telegrams, 8th September 1893.

⁵⁷ HO 144/250/A55059, Correspondence, 31st August 1893.

infantry and 50 cavalry. He expressed 'regret' at having to resort to this course of action.⁵⁸ Godfrey contacted the Home Office again when he received a reply from the army saying that troops could not be used 'for patrolling purposes', but must be 'kept in reserve'. He added that 'with the present temper of the colliers, the 'cavalry' was the 'only safe Guardian'.⁵⁹ Unsurprisingly, the Home Office was unable to guarantee any military assistance and could only pass on the details of Godfrey's predicament to the War Office.⁶⁰ A month later Godfrey wrote again to the Home Office asking if 100 men from the Metropolitan Police would be available, should they be needed, since 100 police who had been in the county for the previous five weeks were being returned.⁶¹ A second letter emphasised how important it was to have police in reserve since the situation was still very unsettled.⁶²

It is difficult to ascertain the level of disorder which prompted chief constables to approach the Home Office for assistance. Without further information it is impossible to say what spurred them into action. It could have been communications from other chief constables or merely rumours of disruption elsewhere, rather an immediate need in their own areas. When Thomasson contacted the Home Office he appears to have overestimated the severity of the current situation, whereas initially Godfrey seems to have made an inaccurate prediction about the circumstances in Derbyshire. Certainly both of them were attempting to forestall further trouble. They attempted to keep all their options open by applying to several places at the same time and they clearly felt that the presence of the military provided a greater deterrent to troublemakers than the importation of extra police.

Early in September the Chief Constable of West Riding was confronted with a much more serious strike related situation when he arrived home from his holiday in Scotland. Attempts had been made to re-establish order in several South Yorkshire pits where rioting had broken out, but the worst violence occurred at Featherstone Colliery. When a crowd of about 9,000 gathered there, the manager had sent for all the available police in the area and through a magistrate had obtained the

⁵⁸ HO 144/250/A55059, Correspondence, 5th September 1893.

⁵⁹ HO 144/250/A55059, Correspondence, 10th September 1893.

⁶⁰ HO 144/250/A55059, Correspondence, 10th September 1893.

⁶¹ HO 144/250/A55059, Correspondence, 10th October 1893.

⁶² HO 144/250/A55059, Correspondence, 13th October 1893.

services of a detachment of the South Staffordshire Regiment which was stationed in Bradford. The mob proceeded to set fire to wagons and to demolish colliery property.⁶³ This led to troops opening fire on the rioters, the deaths of two colliers and the wounding of 14 others.⁶⁴

The situation was different in Lancashire where there is no indication that it was necessary to borrow police or troops from elsewhere. Men from the county force were redeployed locally when necessary and also lent to boroughs and other counties. Early in 1891, shortly after Moorsom had dispatched a contingent of the county police to aid the Lanarkshire Police Authority, Hibbert, the Chairman of the Lancashire SJC had appeared to question the chief constable's authority in such matters. Although Moorsom had provided the Committee with information about the loan, it was resolved that in future whenever such a request was made he should 'report the same, and the nature and extent of his compliance with such request to the Chairman'.⁶⁵ However, the subsequent SJC Minutes which merely include retrospective reports of where reinforcements had been deployed show that this requirement did not encroach on Moorsom's authority and there is no record of any disagreements about his management of the police movements. It appears that in effect the SJC were satisfied to delegate Chief Constable Moorsom, whose reputation for quelling disorder had been acquired over two decades, to deal with any serious disruption.

A Home Office file gives some idea of the independent and reasoned manner in which Moorsom operated in the face of threatened disorder.⁶⁶ In February 1892, J.C. Windle, the Goods Manager of the Lancashire Goods Railway Company painted a worrying picture of the possible impact of a proposed miners' strike for the Home Office. He prophesied that 'thousands of miners' would be 'idle' and that 'most mills and workshops' would close because of lack of coal, commenting 'you know what mischief Satan finds for idle hands to do'. Windle suggested that special arrangements 'as to efficient police and military force' should be put in place.⁶⁷ Moorsom's reaction on receipt of this advice can be imagined, especially when Windle added that he had had 'much experience of strikes and disturbances in years gone' and was now in control of 2,000 men – a classic case of

⁶³ *Glasgow Herald*, 9th September 1893, p. 8.

⁶⁴ *North-Eastern Daily Gazette*, 9th September 1893, p. 2.

⁶⁵ L.U.L., Proceedings 1891, Minutes, 15th January 1891.

⁶⁶ HO144/243/A53700, Disturbances: Colliery Workers strikes at Durham, Lancashire and Stockton-on-Tees. Arrangements made for military aid, Correspondence, 25th February 1892.

⁶⁷ HO144/243/A53700, Correspondence, 25th February 1892.

someone trying to teach their grandmother to suck eggs? In his response to the Home Office, Moorsom said that he did not consider Windle's letter to be 'of much value'. He expected that the colliers would take one or two weeks' holiday from 12th March and that 'some inconvenience to other industries' were likely. However, if there were disturbances, the county police force would be able to deal with them.⁶⁸

In Chapter Two it was pointed out that unrest in Cumbria was usually located in the limited areas of industrial activity, particularly the mining district of west Cumberland and in general, lawlessness was less prevalent than in other Northern counties. Chief Constable Dunne was in total control of any arrangements that were needed to quell disturbances. He outlined the procedures that should be followed in such an eventuality to the Whitehaven police.⁶⁹ Doubtless he was acquainted with the problems that had been encountered by other chief constables. In particular he could not have been unaware of the incidents at Silksworth colliery in the previous year. In the event of disruption the police officer in charge was to address the crowd with the words which Dunne had composed for such a necessity.⁷⁰ Only when the passage had been repeated several times should the police attempt to disperse the crowd. He gave detailed instructions about the formation that should be used to do this. Dunne had assured them that he would be 'present on duty both night and day [...] to give any assistance or orders' that were required.⁷¹

In his November 1892 report to Cumberland and Westmorland SJs Dunne reported that during the recent strike trouble had been averted. Although about 13,000 unemployed workmen were on strike many of whom were 'bordering on starvation', there had been no serious disturbances. A group of police was on special duty but in spite of the 'privations', no request had to be made for reinforcements.⁷² However, a year later Dunne had a rather different account to give the SJs about the 'riotous conduct' that had taken place in the recent six week colliers' strike. It had been imperative to station a large body of police at Whitehaven because of the threat of further disruption and in addition troops had been dispatched to the town. In the event, they were not

⁶⁸ HO144/243/A53700, Correspondence, 1st March 1892.

⁶⁹ C.R.O., Westmorland SJC Papers, Chief Constable Report, 23rd November 1892.

⁷⁰ C.R.O., Westmorland SJC Papers, Chief Constable Report, 23rd November 1892.

⁷¹ C.R.O., Westmorland SJC Papers, Chief Constable Report, 23rd November 1892.

⁷² C.R.O., Westmorland SJC Papers, Chief Constable Report, 23rd November 1892.

needed as the police had succeeded in maintaining order.⁷³ The Westmorland and Cumberland SJs depended on Dunne to make a decision about entering into agreements with other counties and boroughs for the lending and borrowing of police and to frame the response on the subject to the Home Office. He argued that since the Westmorland force was just adequate to maintain law and order in normal times, there might be problems if police were to be sent elsewhere when there was unrest there or in Cumberland.⁷⁴ Therefore, he did not think that it was 'practicable' or 'expedient' to make 'permanent and binding agreements'. Nevertheless, depending on the local situation, each application for reinforcements from other police authorities should be considered on its 'merits'.⁷⁵

It has been demonstrated that in the event or the threat of disorder chief constables usually attempted to procure reinforcements from surrounding counties and if they were unobtainable they tried further afield. Only if that failed did they resort to seeking military aid. However, evidence about the actions of some chief constables has already shown that desperation caused them to bypass the first two courses of action. Dunne adopted a different policy. He considered that numbers in the joint force were sufficient to meet any local eventuality and maintained that he could deploy Westmorland police to west Cumberland if trouble arose. He appears to have miscalculated the size of the threat at Whitehaven and he could not resort to asking for outside help since he had shunned any arrangement with neighbouring counties. Therefore, he chose to bring in troops who fortunately were not needed.

Reaction to Chief Constables' handling of strikes and disturbances

In several counties chief constables faced criticism for the way in which they had dealt with disorder. It comes as no surprise to discover that in Durham the issue of importing and retaining troops and extra police became a political football and Chief Constables White and Eden (White's replacement) were rebuked by some members of the SJC and the County Council. This criticism was levelled against them in spite of an SJC resolution in February which had deputed the County Clerk to make agreements with other counties and boroughs for bringing in extra police to deal

⁷³ C.R.O., Westmorland SJC Papers, Chief Constable Report, 9th September 1893.

⁷⁴ C.R.O., Westmorland SJC Papers, Chief Constable Report, 28th August 1894.

⁷⁵ C.R.O., Westmorland SJC Papers, Chief Constable Report, 28th August 1894.

with 'any special emergency or under any exceptional circumstances'.⁷⁶ In reply to questions in the Commons about White's actions from the Liberal MP J. Wilson, the Home Secretary made no mention of any part played by the Durham SJC but stated that White had been responsible for importing reinforcements in order to preserve peace and to protect property in the County and was retaining them 'to prevent disturbances'. He added that the cost would be met by the ratepayers.⁷⁷ Wilson challenged the necessity of retaining the extra police by repeating some comments that had been made by Wharton, the Chairman of Durham SJC only a few days previously. Wharton describing occurrences of disorder as 'rare and isolated' had said that 'the struggle' was being continued 'in a spirit of good humour and good conduct'. Matthews, refusing to be drawn on the matter, reminded Wilson that he could not 'interfere' with the 'discretion' of the Magistrates and the Chief Constable who were responsible for 'maintaining the peace'.⁷⁸

At the April meeting of Durham County Council, there was evidence that the Chief Constable was still being vilified for importing extra police and military aid. Wilson brought up the topic when Alderman Shafto moved the adoption of the Finance Committee's report. Besides the costs incurred for the pay and railway fares of the borrowed police and payments to Colonel Eden there were recommendations for the payment of four small sums as compensation under the Riot Damages Act.⁷⁹ Wilson wanted to know whether the County Council approved of the actions of the Standing Joint Committee in bringing the reinforcements into Durham, whether there was 'sufficient cause to bring them' and whether the 'damage done at Hebburn Colliery was said to be a riot'.⁸⁰ The Chairman reminded Wilson that the County Council 'had nothing to do with that matter', that the Standing Joint Committee 'had the power of demanding that sum of money from the county, and the county must pay it'. Persisting in his line of enquiry, Wilson continued to attack the judgement of the Chief Constable in his assertion that that the 'disturbance' in Durham 'had not been sufficient to warrant being designated a riot' but that bringing so many police into the county had been enough to 'cause a riot'. He therefore proposed that the section of the report 'relating to

⁷⁶ D.R.O., CC/A10/1/1, S.J.C. Minutes, February 1892.

⁷⁷ HC, Deb 4 April 1892, vol. 3, col. 855.

⁷⁸ HC, Deb 4 April 1892, vol. 3, col. 855.

⁷⁹ 1886, Riot Damages Act (49 and 50 Vic c 38) authorised the payment of compensation from the police fund of the police area in question to persons whose property had been injured, destroyed or stolen in a riot.

⁸⁰ *Northern Echo*, 28th April 1892, p. 3.

those payments be expunged'. Councillor Gaines, Liberal, seconded the proposal, but Councillor Lishman, a Liberal colliery owner, thought that without the extra police 'they could not have kept the peace' in his district. Others expressed varying opinions on the matter.⁸¹

Storey, the Liberal politician who had created problems for White during the previous year was now an SJC member. He accepted that the Standing Joint Committee had 'a statutory power of its own'. However, he did not agree with the view 'that it was not competent for the council to say what it had to say, and to put what check it could on the action of the Joint Committee'. He was in agreement with Wilson over the scale of the disturbances and, like him, doubted that there had been a need for the 'wholesale importation of policemen from a distance'.⁸² Nevertheless, he conceded that 'private persons' had a right to claim compensation if damage had been done to their property. In a thinly veiled criticism of White and the SJC, he stated that 'if there had been less nervousness on the part of those who had the charge of the police much mischief that had occurred would not have happened'. He hoped that the new Standing Joint Committee would be a little 'less nervous'. After further discussion, Wilson's amendment was 'negatived' but Storey's amendment 'to adjourn the items for police pay and fares' to the next quarterly meeting was carried by 28 votes to 18.⁸³

Concern about the goings on at the County Council meeting were expressed in a letter from the County Clerk, Ralph Simey to the Home Office, presumably written at the instigation of the SJC. He asked if Eden should dismiss the extra police at once, or how they should be paid for if they were retained. In their reply, the Home Office stated in no uncertain terms that the County Council were acting illegally, since they had 'no license to consider the question whether the police' were 'necessary or not'. When the 'proper steps' i.e. 'the resolution of the Standing Joint Committee' and 'the recommendation of the Finance Committee' had been taken, 'the obligation of the County Council to pay' was made 'complete'.⁸⁴ Moreover, it was clearly restated that the authority 'to deem whether extra police' were 'necessary' had been delegated to the County Chief Constable by the Standing Joint Committee.⁸⁵ In spite of these strong words, payment was not approved until the

⁸¹ *Northern Echo*, 28th April 1892, p. 3.

⁸² *Northern Echo*, 28th April 1892, p. 3.

⁸³ *Northern Echo*, 28th April 1892, p. 3.

⁸⁴ HO 144/327/B10182, Correspondence, 28th April 1892.

⁸⁵ HO 144/327/B10182, Correspondence, 28th April 1892.

next quarterly meeting of the County Council in July.⁸⁶ Storey recommended that having made their protest the Council 'should allow the sums to be passed', but added in doom laden tones that 'the time was coming when the Joint Committee would no longer have control of the police of the county'.⁸⁷ Godfrey faced similar criticism to White and Eden, from Derbyshire County Council. In correspondence with the Home Office, the Council Chairman called the extra police and the troops who had been brought into the county 'unwelcome visitors' whose presence had been unnecessary since there had not been 'the least disturbance nor a farthing worth of damage'. He also asked who would 'bear the 'unnecessary expense' of the exercise'.⁸⁸

It is unsurprising that the cost of importing extra police or troops into Durham was given a high profile in county council meetings. No special budget was set aside to meet such a contingency and no cap could be put on the amount that the SJC charged to the Finance Committee. Moreover, the fact that the cost of stationing troops in the county was less than that of bringing in police seemed anomalous when the advice of the Home Office was to apply for help from the military authorities only as a last resort.

The available evidence demonstrates that Dunne and Moorsom were generally immune from criticism for their handling of strikes and any ensuing disturbances. In Whitehaven the police had managed to restore order and there is no evidence to suggest that the unrest had reached the level where Dunne's plan of action needed to be followed, even though he had called in the troops.⁸⁹ Nevertheless, reports in the press gave details of the confrontation that had arisen when the police, having been pelted with stones used their truncheons to disperse the crowd. Mr Sharp, a local miners' agent had declared that 'he would like the Chief Constable and others responsible for keeping order to know that they were also responsible for causing disorder'. He considered that 'when a few men were standing quietly together, it was most inhuman and disgraceful for policemen to go and hit somebody on the head'.⁹⁰

⁸⁶ D.R.O., CC/A1/1/1, County Council Minutes, July 1892.

⁸⁷ *Northern Echo*, 28th July 1892, p. 4.

⁸⁸ HO144/250/A55059, Correspondence, 11th September, 1893.

⁸⁹ C.R.O., Westmorland SJC Papers, Chief Constable Report, 9th September 1893.

⁹⁰ *Guardian*, 13th September, 1893, p. 7.

One major occurrence which distinguished Moorsom's experience of controlling industrial stoppages from that of other county chief constables was the Lancashire cotton strike which lasted from November 1892 until the end of March 1893. Involving 125,000 hands, it had been 'waged on a scale' which was 'rare in the annals of industry'. The fact that not 'a single breach of the peace' was recorded during the strike was a matter for comment in the local and national press.⁹¹ The management of the strike which was described as 'quiet and orderly' and 'free from acrimony' was held up as an example by the Home Secretary in a Commons answer to Mr Keir Hardie's criticism of the drafting of 'military and naval forces' to restore the peace at a ship workers' strike in Hull.⁹² Moorsom received a further accolade in December 1893 when a resolution of the Lancashire SJC expressed 'praise' for the way in which he had dealt with the 'miners' disturbances'.⁹³ Moreover, his advice was taken when Bootle Watch Committee asked for an 'agreement' with the SJC whereby county police could be dispatched to the Borough before an 'emergency' arose. Since Moorsom maintained that Bootle could be just as well supported without an agreement, the SJC refused the request.⁹⁴ In 1893, when strikes had spread through the Lancashire collieries there appears to have been only one occasion when Moorsom was subjected to the same kind of censure as some of his fellow chief constables. This was in the Commons, when Samuel Woods, Lancashire's first working class MP queried his decision to draft large numbers of the county police into districts where striking miners 'were behaving in a most peaceful manner under their present difficulties'.⁹⁵ The Home Secretary's response was similar to those that he had given on other occasions: that the Chief Constable had taken such action to prevent outbreaks of disorder.⁹⁶

In his analysis of the events at Featherstone, Geary stated that poor decision-taking by the Chief Constable of the West Riding, Captain Russell and a series of mistakes on the part of the police and others resulted in a situation where the troops who were greatly outnumbered by the striking miners had been compelled to take such drastic action.⁹⁷ In the Commons, when MPs seized the opportunity during the second reading of the Appropriation Bill to apportion blame for the deaths

⁹¹ *Times*, 25th March 1893, p. 11.

⁹² *Sheffield and Rotherham Independent*, 13th April 1893, p. 4.

⁹³ L.U.L., Proceedings 1893, Minutes, December 1893.

⁹⁴ L.U.L., Proceedings 1891, Minutes, 17th September 1891.

⁹⁵ *Dundee Courier and Argus*, 4th August 1893, p. 5.

⁹⁶ *Dundee Courier and Argus*, 4th August 1893, p. 5.

⁹⁷ Geary, *Policing Industrial Disputes*, p. 17

at Featherstone the same conclusion was reached. James Lowther spoke at length about the incident in the context of events that had taken place in ‘large areas of the mining districts of the country’. He described the situation as ‘absolute anarchy’ and was very scathing about the part played by Russell at Featherstone. He accused him of taking ‘one step and one step only’ as the situation began to deteriorate: to lend 25 per cent of the county force (269 of 1,080 men) to Doncaster to keep order at the races.⁹⁸ He stated that since the maintenance of order in that area of the county where there were no other police forces was the responsibility of the Chief Constable, he should have obtained support for his own force from elsewhere if, ‘according to custom’ it was necessary to send help to the Doncaster police. Lowther identified Russell’s subsequent departure on a holiday (to which he had ‘a perfect right’) and the absence of an ‘efficient deputy’ for the delay in requesting assistance from other police forces or the military. Thus ‘affairs were allowed to drift into a state of hopeless chaos’.

In response to Lowther’s attack on Russell, it was to be expected that Herbert Asquith, the Tory Home Secretary would speak in his defence. Mitigating the charge against him, he argued that however justified the criticism of him for sending police to the Doncaster races might have been, the number of men in the county force would not have been sufficient to cope with the ‘suddenly arising emergency’.⁹⁹ However, it was difficult for Asquith to make a strong defence on behalf of Russell. Considering the situation in the Yorkshire coalfields – a strike in its sixth week which was showing no sign of coming to an end and sporadic outbreaks of disorder in Yorkshire and neighbouring counties it was short sighted, to say the least to sanction the transfer of so many police to Doncaster Races and to take his annual holiday while so many miners were out on strike.

The Government response to the policing of industrial disorder

Although the Home Secretary repeatedly stated that local authorities were responsible for ensuring that law and order were maintained in their areas, it has been demonstrated that actually the Home Office was required to intervene in several ways. To begin with, the Home Office was sometimes the first port of call when individuals wanted to air local concerns. For example, James in Durham

⁹⁸ HC, Deb 9 September 1893, vol. 17, col. 1719.

⁹⁹ HC, Deb 9 September 1893, vol. 17, col. 1725.

had contacted the Home Office about the need for troops to be stationed at collieries in the early days of the miners' strike in March 1892 and at about the same time in Lancashire, Windle had submitted advice about avoiding the worst effects of a possible strike. Correspondence in the other direction, from the Home Office to the County Councils of Durham and Derbyshire reminded them that they had no right to participate in the arrangements for policing disorder, although they were responsible for the payment of any costs concerned. Sources have revealed that there were also attempts to involve the Government in law and order matters through repeated questions in the House of Commons, when the actions of chief constables came under the spotlight. On these occasions the Home Secretary was at pains to defend the police leaders. In the case of the events at Featherstone, Matthews had no option but to allow prolonged discussion about the tragedy, to set up an enquiry and to publish the findings.

Although the 1890 legislation had provided for the borrowing of extra police, it is quite clear that in practice the procedure was not always straightforward, particularly during a period of widespread industrial strife. As a result, some chief constables were left in a quandary. The main impression that is left from this enquiry into how chief constables handled the organisation of their manpower is that the absence of an effective system led to potential for confusion. Despite the Government's previous recommendation that police authorities should make formal agreements with neighbouring SJs and watch committees, so that assistance could be speedily dispatched in an emergency, the scheme had been adopted by only a minority of boroughs and counties, Cumberland, Westmorland and Lancashire being three of the counties which had decided against it. There were good reasons for not entering into binding agreements. For instance, in Lancashire there had been previous disputes about the payment for the loan of county police to boroughs and since the force was unlikely to require outside assistance such a commitment was considered to be unnecessary.¹⁰⁰ Dunne's argument for the Cumberland and Westmorland non participation was probably one that was expressed by other counties where disruption was infrequent, namely that to

¹⁰⁰ L.U.L., Proceedings 1891, Minutes, 2nd September 1891.

operate with just sufficient police to maintain law and order did not allow for any men to be lent to other forces.¹⁰¹

The Home Office had also become involved when Nottingham Watch Committee had asked the Metropolitan Police for assistance. The requests, coming as they did after numerous other urgent appeals for help, seem to have been the straw which broke the camel's back for Commissioner Bradford. Although responses from the Home Office reveal that arrangements had previously been made for contingents of the Metropolitan Police to be dispatched to a number of locations, Bradford was clearly becoming increasingly concerned about the extent of this practice. Therefore when he received the communication from Nottingham he drew the Home Secretary's attention to the possible knock-on effects of removing substantial numbers of police from central London. Forwarding the request from Nottingham with a lengthy covering letter, he stated that he had recently dispatched 381 men to Nottinghamshire, Rotherham and the West Riding and as other police were on annual leave this had left his force considerably depleted. He could envisage problems if large gatherings were organised in Hyde Park or Trafalgar Square by those wanting to show solidarity with the strikers, or by the unemployed who 'might use the present state of affairs to make themselves as disagreeable as possible'.¹⁰² In response, Bradford was advised by the Home Secretary to tell the authorities in Nottingham that he could send no more police to the county.¹⁰³

In the months following the Featherstone riots, an overview of the problems that were associated with obtaining extra police and troops was highlighted in the Commons. Reference to Hansard reveals that certain MPs, some of whom were also county councillors and SJC members, had limited understanding of the course of action that was specified for chief constables. This rather disturbing state of affairs was revealed in a succession of questions and debates. Responding to concerns, Asquith outlined the priorities for obtaining assistance from neighbouring counties and Boroughs, the Metropolitan Police and the military authorities. He also explained that the whole cost of temporarily employing additional police was met by the locality, whereas the army paid

¹⁰¹ C.R.O. Westmorland SJC Papers, Chief Constable Report, 28th August 1894.

¹⁰² HO144/250/A55059, Correspondence, 9th September 1893.

¹⁰³ HO144/250/A55059, Minutes, 9th September 1893.

most of the bill for imported troops.¹⁰⁴ One of the main topics of discussions was the role of the magistracy. It was clear that the difficulty in locating an available magistrate had delayed the arrival of the troops at Featherstone and Thomas Nussey advocated that each petty sessional district should compile a magisterial rota for use on any similar future occasions. Some members felt strongly that troops should never be used in industrial disputes and Bernard Coleridge argued that it was inappropriate for magistrates to be responsible for drafting in troops when they themselves were often owners of industrial enterprises or the friends of those who were. John Burns went further by castigating the coal owners for causing the strikes and trying 'to take on the administration of the law [...] through their friends, the J.Ps.'¹⁰⁵

The autonomy of county chief constables to take action in these situations was increased by the Home Office in the wake of the worrying escalation of strike related turbulence in 1893. The new directive issued instructions that in future when it was necessary to 'call in the military to aid the civil power', troops should be requisitioned through the county chief constable. In the past, such requests had been made by Magistrates in Petty Sessional Divisions and problems when 'numerous and often competing demands' had been made 'simultaneously from several districts' have already been highlighted. It was hoped that the new system would result in 'more concerted action between the Police and the Military [...] without any loss of time in supplying adequate force to meet sudden demands'.¹⁰⁶

Moorsom's competence and experience in controlling lawlessness were recognised when in May 1894 he was appointed to an interdepartmental Committee which was set up by the Home Secretary in the wake of the Featherstone Riots to inquire 'into the precautions to be taken in the case of riots or apprehended riots'. A measure of the regard in which Moorsom was held can be seen in the composition of the Committee. He was the only police representative, the other four members being Sir Godfrey Lushington, Permanent Under-Secretary at the Home Office, Sir John Bridge, Chief Magistrate of the Metropolitan police Courts, Colonel Coleridge Grove, Assistant Adjutant-General to the Forces and John Lloyd Wharton M.P., whose responsibilities in Durham

¹⁰⁴ HC, Deb 19 September 1893, vol. 17, col. 1590

¹⁰⁵ HC, Deb 10 January 1894, vol. 20, col. 1305

¹⁰⁶ L.U.L., Proceedings 1893, Correspondence from Home Office to SJC, 22nd September 1893.

have been listed in earlier chapters.¹⁰⁷ The Committee Report clarified the chronology of the action to be taken when the threat of disorder arose and reiterated that chief constables were the pivotal decision makers in any move to call for military assistance in the counties. Having assessed that the situation was not containable by importing extra police, they were to request sufficient troops and to make arrangements for their stationing and accommodation. Magistrates would be responsible for accompanying troops to the site of a disturbance to read the Riot Act before any action was taken but only in emergencies could they summon military aid themselves. In the boroughs the role of the county chief constables would be assumed by mayors and watch committees.¹⁰⁸

Significantly, there was no suggestion in the Report that a county chief constable would need the support of his standing joint committee before he applied to the military authorities for assistance.

However, not all SJs were prepared to accept their chief constable's freedom of action in this matter. For example, several years later the Caernarvonshire SJC were outraged that Chief Constable Ruck had called in troops to keep order at the Penryn Colliery strike. At a special meeting, they passed a resolution by a majority of 13 to six that 'no sufficient cause existed for taking the extreme course of sending for the military'. Another resolution which called for 'the removal of the military forthwith' was also carried.¹⁰⁹ Although the Clerk reminded the SJC that 'they had no absolute control over the Chief Constable' they criticised his conduct in strong language: 'it was an unwarrantable interference with the liberties of the people to import troops into the county without the sanction of the Standing Joint Committee as the duly-constituted authority appointed to deal with the question of Police administration and good government of the county'.¹¹⁰

Conclusion

'Local' varying 'conditions' that Taylor had highlighted as the reason for the types of difficulties encountered by Chief Constables in the early 1890s have been identified in both sections of this chapter. The archival evidence which pertains to the aftermath of the Silksworth Colliery strike,

¹⁰⁷ P.P., 1894, xxxv, Special Report of the Interdepartmental Commissioners on Riots

¹⁰⁸ P.P., 1894, xxxv, Special Report, p. 6

¹⁰⁹ *Times*, 15th November 1900, p. 5.

¹¹⁰ J. Morgan, *Conflict and Order The Police and Labour Disputes in England and Wales 1900-1930* (Oxford: Clarendon Press, 1987), p. 39.

evictions and police baton charge have provided comprehensive information about the subsequent problems encountered by Chief Constable White in situations which were very different from those experienced by other county chief constables. Then, available details of how chief constables handled strike related disturbance have shown that not only did the circumstances differ from county to county, but so did the capacity of the chief constables to deal with them. Moreover, it has been demonstrated that there was a lack of consistency in the way in which the Home Office responded to the chief constables' requests for assistance. One of the most striking features of the sequel to the Silksworth incidents was the political background which fulfilled the previously mentioned potential for party activists to interfere in police matters. Storey took every available opportunity to promote not only the Liberal aspiration for further development of democracy in local government, but more radically the abolition of the SJC, which would have resulted in the entire supervision of the Durham police force and their Chief Constable passing to the County Council. At this stage however, political balance on the SJC had prevented outright criticism of the Chief Constable's handling of the accusations against the police by Liberal Committee members. For his part White was patently in league with local Tories, as his dealings with Londonderry who financed defence for the police have demonstrated. Furthermore it is difficult to imagine that White would not have had considerable contact with the large number of county magistrates ('the Durham Tories', as *Reynolds Newspaper* called them) who gathered in Sunderland for the perjury case against Storey.¹¹¹ Interestingly however, it appears that he was prepared to cross party lines in an attempt to bring the court actions to an end when he suggested the compromise to Pease who was a well-respected Darlington Liberal.

Storey ensured that the situation in Durham reached a far wider audience by raising the matter on several occasions in the House of Commons, where support either for White and the police or for Storey and his Liberal supporters divided along party lines. A link between Durham Tories and the Commons was provided by Wharton who had a dual role as Tory MP and Chairman of the Durham SJC. In league with Matthews, the Home Secretary he ridiculed Storey and vouched for the Chief Constable's competence. The miners' agent and MP, John Wilson fulfilled a similar role for the Durham Liberals by condemning the baton charge in the Commons. The minutes of two SJC

¹¹¹ *Reynolds Newspaper*, 17th May 1891, p. 3.

meetings in Durham, where White might have been under fire are missing and there are conflicting reports of the outcome when the behaviour of the police came up for discussion at one of the meetings White himself insisted that the Committee members had accepted his version of events on that occasion.

The steps taken by chief constables to augment their manpower, when they were faced with possible lawlessness, were based on an assessment of the local potential threat and in some cases they probably over reacted. On the other hand, they may have considered that it was necessary to exaggerate the position in order to obtain a swift response. For whatever reason, the frantic telegrams dispatched by the Chief Constables of Nottinghamshire and Derbyshire to the Home Office predicted disruption of apocalyptic proportions, when in fact even minor disturbances did not always materialise. Newspaper reports from the trouble spots certainly talk of very large assemblies of men and aggressive behaviour but the lawlessness on one occasion in Derbyshire at least seems to have resided more in the theft of crops and farm animals by hungry strikers. In their defence, it is possible that their miscalculation could be put down to inexperience, since the appointments of both Chief Constables had been made within the previous year. Reference to Cumberland and Westmorland sources reiterated that the scale of unrest was much smaller in that region. However, it is more difficult to suggest reasons for the absence of extensive disruption in Lancashire. After all, it was the most industrialised county in the country and it experienced stoppages in many trades during the early 1890s. A possible reason for the unexpectedly few outbreaks of violence might have been that the large number of well- established borough police forces in the county were available to nip any trouble in the bud in urban centres and surrounding rural areas. There are accounts in the press of how borough forces managed to contain disturbances. For instance one report describes how the Wigan police had to charge a mob at Wigan Junction Collieries to make them disperse.¹¹² When serious rioting broke out at a Liverpool dock strike, the borough police were 'speedily on the spot', although in that case after a week of controlling the strikers, they were 'worn out'.¹¹³ Moreover, Moorsom's expertise in this field which

¹¹² *Manchester Times*, 8th September 1893, p. 8.

¹¹³ *Blackburn Standard*, 15th March 1890, p. 8.

was recognised locally and nationally would also have been an important factor in the maintenance of law and order.

White who had long experience of dealing with outbreaks of disorder was probably well equipped to make an accurate assessment of the scale of need in Durham. However, his main problem, as previously, in the Silksworth episode was one of political interference. County Councillors acted illegally not only by questioning whether it was necessary for him to draft in and retain reinforcements but also when they initially refused to meet the expenses which had been incurred in the operations. They had persisted with this despite the Chairman's pronouncement that they had no choice in the matter, ignoring the second directive from the Home Office and delaying payment for several months. It is important to highlight here that Storey, recently appointed to the County Council as an alderman and elected to the SJC, appears to have sat on the fence in the controversy. Although his radical credentials had been displayed in the Durham County Council debate about the imported police, he recognised the authority of the SJC and accepted the inevitable i.e. that the County Council were compelled to pay the bills.

Presumably financial concerns played little part in the decision making of chief constables when they sought help in the face of escalating disorder and without further research it is impossible to estimate the scale of the protests that they faced from county councils. However, as local politicians became better acquainted with the provisions of the 1888 Local Government Act, repetition of the kind of criticism that the SJC and especially the Chief Constable had faced from the Liberals in Durham County Council meetings might become a thing of the past. Likewise, a slowly dawning realisation that the Home Secretary was very unlikely to intervene in local policing might have tended to deter MPs from criticising the actions of chief constables in the Commons.

The central question remains: was the autonomy of county chief constables diminished by their difficulties in dealing with situations of industrial disorder? SJC minutes that have survived for the years in question show no opposition to the actions taken by chief constables to control disruption in the four counties under scrutiny, confirming that they had retained their authority in that area of their responsibility. Nevertheless the missing SJC evidence from Derbyshire and Nottinghamshire where the Chief Constables had such problems in obtaining reinforcements for their constabularies

could have provided a slightly different perspective on the matter. Furthermore the difficulties of the Durham Chief Constables might have some bearing on the future experiences of the post holders. The relative position of the police and the military in this period is also a matter of interest. Numerous historians have noted that the advent of the new police earlier in the century was a turning point in the control of unrest as the new forces' increasing proficiency lessened the necessity of calling in the military. However, the disruption of the early 1890s where their assistance was repeatedly requested, demonstrated that *in extremis* they provided an important backup for the police, even when it was their mere presence which deterred the rioters. Furthermore in the early years of the twentieth century military intervention was to prove crucial in the handling of violent strikes.

Further investigation will reveal whether the police authorities who had allowed their Chief Constables considerable independence in their preparation for, and the handling of disorder would permit them to exercise their authority in other areas of policing when industrial disruption became less frequent. Research for this chapter has certainly indicated that chief constables would be allowed less independence in counties where party affiliation was a significant factor in local politics.

Chapter Six Authority of County Chief Constables under the Supervision of Standing Joint Committees

The context for county policing in the 1890s was established in Chapter Four through the survey of a set of circumstances that emerged in the implementation of the 1888 Local Government Act.¹ By this time the post of county chief constable had been in existence for almost 50 years. As has already been stated, the significance of the 1888 Statute which reorganised the supervision of the county police cannot be overestimated, since it had the wherewithal to seriously weaken the position of the chief constable or conversely to enhance his role. In earlier chapters evidence has demonstrated that apart from a few exceptions the power and status of the office holders had remained intact during that period. Nevertheless, some of the situations which were highlighted hinted at the possibility of future challenges to the authority of chief constables. One example of how chief constables were able to act independently without obstruction from SJC's has been highlighted in Chapter Five where it was revealed that they had delegated a key role to chief constables in the control of industrial disruption during the early 1890s. However, even though SJC's did not challenge their chief constables' decisions in this matter the occurrence of interference from individuals and county councillors did not bode well for the future.

The purpose of this chapter is to assess the extent of the autonomy that SJC's devolved to chief constables in other areas of their work. The first section provides a backcloth for this judgement in a brief exploration of the position of the three current post holders when the SJC's took over the supervision of the county police. It summarises the initial attitudes of the first Committees towards their chief constables and indicates the kinds of harassment that chief constables might encounter in their management of the county police under the new system. The rest of the chapter focuses on chief constables' freedom of action in several contrasting spheres of their activity, the first of which was their responsibility for organising the involvement of the county police in weights and measures inspections. Of the rapidly increasing number of administrative tasks with which the police were burdened in the second half of the nineteenth century their historical responsibility for this standardisation process was one of the most time-consuming. Therefore an appraisal is made of

¹ Local Government Act 1888 (51 and 52 Vic c 108)

the chief constable's role in manning the inspections, as the requirements became more demanding. The third part of the chapter addresses chief constables' independence, or lack of it in a number of differing situations most of which were concerned with internal police matters. In particular, attention is paid to the cooperation or frustration that they experienced in frequent negotiations with SJC's about additions to police numbers and increases in pay. However, the section of the chapter which will prove to be most significant for the remainder of the thesis is the coverage of constraints which SJC's placed on chief constables' prerogative to establish rules and disciplinary procedures for his force.

The early relationship between Chief Constables and Standing Joint Committees

The change of police authority in 1888 would have been difficult for all concerned. After working closely with Quarter Sessions, in some cases for many years, chief constables encountered a new situation, where the support of the SJC could not be taken for granted. Similarly, for those on the SJC who were new to police supervision the chief constable was something of an unknown quantity. That probably accounts for the attitude of some members of the Lancashire SJC who appear to have felt that it was important to set the boundaries for the autonomy of the Chief Constable. At their first meeting, it was resolved that a sub-committee should be appointed 'to examine all the Chief Constable's accounts that were to be presented to the meetings of the Standing Joint Committee'. In addition the sub-committee were to be required 'to consider the best means of the police and to report thereon'. There was also an attempt to reduce the increase in the number of constables for Blackburn that had been requested by Moorsom from eight to five. However, this motion was 'negatived' and as has already been demonstrated in the Lancashire SJC's policy of allowing Moorsom to decide on the movement of police and troops in times of industrial unrest, he was usually entrusted with important decision making.²

Recent events, outlined in the previous chapter, had intimated that life would not be so rosy for Durham chief constables. Soon after the furore had subsided in 1891, activity at the October meeting of the SJC demonstrated that Storey was already influencing the Liberals on the Committee. They proposed that the evidence given by the police in the cases against Samuel

² L.U.L., Proceedings 1889, SJC Minutes, 18th April 1889.

Storey, with all the letters received by the Chief Constable relating to each charge and his replies should be discussed. However, the resolution was defeated.³ One reading of Storey's prompt move to seek election to the County Council and thence to the SJC could be that he wanted to be in a position to deal with the unfinished business between him and the police. In accepting his nomination as the Liberal candidate for Sedgefield in the 1892 County Council elections, Storey expressed his opinions about the governance of the county police in no uncertain terms. He contrasted the way in which town councils had 'full management of their local affairs' with the limited 'functions' of the County Council which did not include the control of the police. He likened sending the 72 elected men to Durham County Council to 'yoking a locomotive to a donkey cart'.⁴ As an 'illustration' of the Council's lack of power, he cited the procedures for the appointment of a new chief constable which were being followed at the current time. He pointed out that since the Standing Joint Committee was 'alone responsible' for the task of replacing the Chief Constable, the ratepayers who 'paid for him' had no say in setting his salary. Under this system, the magistrates on the committee had been able to defeat Alderman Joseph Richardson's 'economical motion' for an annual salary of £400 in favour of their own motion for £500 a year.⁵

Storey argued that Parliament should be petitioned for the reform of the county councils and then 'Durham County would be governed' only 'by men elected by Durham ratepayers'. Although he did not mention his recent disputes with the police it is clear that he was referring to them indirectly when he said that a fully representative council 'would be able to redress abuses and control the police and teach them that [...] truthfulness was the first duty of a policeman'. The police had to learn 'that they were there for the sustenance of the law and the protection of the people'.⁶ This statement left no room for doubt that Storey would take every opportunity to challenge the authority of the new Chief Constable. Considering his frequently stated belief in representative local government it is ironic that, having been defeated in the election, Storey obtained a place on the Council by being co-opted as an alderman. By his subsequent election to the SJC, an entirely new dimension was added to his relationship with the Durham county police and particularly with

³ D.R.O., CC/A10/1/1, SJC Minutes, October 1891.

⁴ *Northern Echo*, 20th February 1892, p. 3

⁵ *Northern Echo*, 20th February 1892, p. 3.

⁶ *Northern Echo*, 20th February 1892, p. 3.

its chief constable. When the new Standing Joint Committee assembled in April 1892, Colonel John Eden had replaced White as County Chief Constable. Although White's retirement could not have been unexpected, since he had been in office since 1842, he probably timed his departure to coincide with Storey's announcement that he intended to stand for the county council. Storey's overt criticism of White's leadership of the police and White's stated opinion that Storey had been responsible for the sequence of events following the Silksworth evictions would have made it very difficult for the two men to cooperate.

There were no obvious political problems for Dunne in Cumberland and Westmorland at this stage but his position as Chief Constable of the joint force meant that he operated in a more complex situation than his counterparts in Durham and Lancashire. He had reported to the Quarter Sessions Police Committee of each county between 1857 and 1889 and subsequently he was responsible to the two SJCs and attended the quarterly meetings of each body. A degree of cooperation between the police authorities of the two counties was necessary when representatives from each of them had to consult over important matters such as pay increases, conditions of service, or the appointment of a new chief constable. In Cumberland, his position was further complicated from 1889 because he had to communicate with another tier of policing administration in the form of the Police Committee.

Composed of 16 magistrates, councillors and aldermen from the four divisions of the county, it met monthly and members were appointed by a resolution of the SJC.⁷ The lack of relevant evidence prevents a conclusive analysis of its composition but some information about the 1894 Police Committee gives an idea of its typical structure: Six members of the SJC provided a link between the two bodies and of the 16 Police Committee members ten were county councillors and one was an alderman. There were eight magistrates, three of whom were members of neither the County Council nor the SJC.⁸ Two of the county council representatives were not JPs and the two political groups, Conservatives with Liberal Unionists and Liberals, appear to have been equally

⁷ C.R.O., CC1/36/1, Cumberland S.J.C. Minutes, October 1891.

⁸ Kelly's Directory of Cumberland (London: Kelly's Directories Ltd., 1894), pp. 9-10, 15-16.

represented.⁹ The Police Committee's report was read alongside that of the Chief Constable at each SJC meeting.¹⁰ It acted partly as a permanent subcommittee by following up issues that had been, or were to be discussed, at quarterly SJC meetings and reporting back. For example, in November 1893 the Police Committee was deputed to discuss a request from the Cumberland villages of Aspatria and Threlkeld for more police constables and in 1894 they were asked to consider Government Inspector Croft's recommendation that more police should be appointed in the county.¹¹ They did much of the initial spade work that was associated with the administration of police property by consulting with architects, the county surveyor and others. Additional items of business ranged from negotiating with the Chief Constable over pension arrangements after the 1890 Police Act to investigating whether the speed of bicycles on highways should be regulated in 1891.

Dunne attended the monthly meetings of the Cumberland Police Committee which were held alternately at Whitehaven and Carlisle. The archive shows that the Whitehaven meetings were poorly attended. On 25th January 1892 only two members and the Chief Constable were present and on 25th March there were four members and the Chief Constable.¹² Presumably it was for this reason that in the same year it was resolved that Carlisle should be the venue for all future meetings. Attendance did not significantly improve and in 1895 an attempt was made to revert to the former system. This resolution failed, probably as a result of a four page report from the Chief Constable in which he outlined the practical difficulties that he had faced when the meetings were held in Whitehaven. This included such details as unsatisfactory train times and the complexities associated with the completion and checking of financial accounts.¹³ He also used the occasion to remind the Committee of his considerable workload. He said that 'a full examination' of all the records would show 'that all the time and the mental and physical resources of any man' were 'taxed to the utmost limits in loyally and faithfully fulfilling the duties' for which he was 'legally

⁹ R. Tuft, 'The Social and Political Composition of the Early Cumberland County Councils 1889-1914', unpublished MA dissertation, University of Lancaster, 1976, p. 11. It would have been difficult for the county magistrates to have retained their dominance in Cumberland after 1888, since the 1889 County Council elections had produced an almost balanced result with only a few Liberal Unionists giving a slight advantage to the Tories. In 1892, there was a similar outcome.

¹⁰ C.R.O., CC1/36/1, Cumberland S.J.C. Minutes, October 1891.

¹¹ C.R.O., CC1/36/1, Cumberland S.J.C. Minutes, November 1893, October 1894.

¹² C.R.O., CC1/27/2, Cumberland Police Committee Minute Books, 25th January 1892 and 21st March 1892.

¹³ C.R.O., CC1/27/3, Cumberland Police Committee Minute Books, 10th June 1895.

responsible'. Any change in the Committee's meeting place would result in 'curtailing the time' that was 'absolutely necessary' for his various responsibilities and would involve him in working on Sundays which of course he was prepared to do 'in urgent cases'. He supported his case by adding that the results of an investigation that he had conducted with counties which had Police Committees had shown that 'the meetings of Standing Joint and Police Committees' were held 'at one place in each county'.¹⁴ His powers of persuasion seem to have paid off, as there is no evidence in the minutes of further discussion on the matter.

This version of the old constabulary committee did not exist in Westmorland, Lancashire and Durham, where sub-committees were appointed only when it was necessary to give further investigation or discussion to a topic that had been raised at the SJC. Later, evidence will show that the absence of chief constables at some sub-committee meetings in these counties provided opportunities for them to be undermined. The purpose of the Police Committee in Cumberland might be viewed as a check on the activities of the chief constable but this certainly not the case during Dunne's incumbency. Although poor attendance at some meetings might question the need for such a body, the available evidence shows that he had a good relationship with members and that their deliberations were constructive and worthwhile.

The authority of Chief Constables in the administration of weights and measures legislation

One of the problems that faced all chief constables was the way in which they deployed their forces to meet the multiplicity of tasks that were being delegated to the police and the degree to which these extra responsibilities were recognised by SJCs. A few months into the new regime, Chief Constable White drew the attention of the Durham SJC to the number of extra duties which were being devolved upon the police, 'occupations' that were too 'onerous' and not 'consistent with their paramount duty in the prevention and detection of crime', and the 'preservation of peace and good order'.¹⁵ This was nothing new. As has been previously mentioned, Carolyn Steedman had noted in her comments about the rapidly changing role of the police in the 1860s-70s, that although

¹⁴ C.R.O., CC1/27/3, Cumberland Police Committee Minute Books, 10th June 1895. Although there is no evidence of the existence of Police Committees after 1888 in Westmorland, Durham and Lancashire, Dunne's comment here proves that they did exist in other counties. Further research might reveal their locations. However, it is unlikely that their minutes will have survived.

¹⁵ D.R.O., CC/A10/1/1, S.J.C. Minutes, January 1890.

some of their increasing responsibilities were directly connected with crime ‘prevention and detection’ others did not impinge on that aspect of their work at all. She associated much of this accumulating workload with the growing surveillance that was creeping into many areas of life. She described the situation as being ‘something like an inspection fever’ with ‘some, including county chief constables’ being ‘carried away by the vision of a thoroughly policed and inspected society’.¹⁶

With the 1888 Local Government Act, the administration of the legislation and the costs involved in carrying out these tasks had been transferred from Quarter Sessions to the county councils who saw the benefits to be gained in retaining and increasing the involvement of the police wherever possible. As early as 1881, there had been an indication in Durham that White had been uneasy about the increasing workload of the county police, when he wrote to the Clerk of the Weardale Union, forbidding ‘the employment of the police as school-attendance officers for the parish of Wolsingham’.¹⁷ Now, in January 1890, he stated that the problem was being exacerbated by the ‘yearly rapid increase of population’ which was connected with coal mining, iron working and various other industries, ‘an increase that was greater in proportion than in any other county’. He attributed many of the police’s new routine activities to this population explosion. These included inspections connected with the acts dealing with contagious diseases, explosives, petroleum, common lodging houses and pedlars’ certificates. A further responsibility was the role of assistant relieving officer for vagrants.¹⁸

In particular, the weights and measures legislation which was frequently updated, seriously impacted on the burden of police duties and the 1889 Weights and Measures Act appears to have been a step too far for many chief constables. It stipulated that inspectors would have to examine, adjust and stamp all weights, measures, scales and weighing equipment whereas previously they merely had to compare weights with the standard.¹⁹ In his report to the SJC in January 1890 White suggested that the police should be relieved from the work created by the 1887 Mines Regulation Act and the latest Weights and Measures Act, as had already happened in Derbyshire and

¹⁶ Steedman, *Policing*, p. 53.

¹⁷ *Northern Echo*, 20th August 1881, p. 4.

¹⁸ D.R.O., CC/A10/1/1, S.J.C. Minutes, January 1890.

¹⁹ *Birmingham Daily Post*, 23rd December 1889.

Staffordshire. He added that the chief constables in the other northern counties were in full agreement with him.²⁰ In fact, the Northumberland SJC had already stated that it was impossible for the extra work to be carried out by their present number of officers.²¹ However, the response from the Committee was mixed and the Clerk announced that a Special Committee set up to look at the matter had recommended no change for the present. It was only the intervention of HMIC for the Northern District that gave White the support he needed. He proposed that three inspectors should take over the work, thus freeing up the superintendents who had been giving many hours of their time to it. He also advised that the cost of extra police who could be appointed to fill gaps in the workforce should be charged to the county rate. There is no definitive explanation of whether the county were to be responsible for the whole amount or half of it, on the understanding that the government should pay the rest. His proposed scheme was accepted by the Committee.²²

Evidence from elsewhere shows that the level of support given to chief constables in relation to the extra demands created by the weights and measures legislation differed from county to county. In the case of Devon, correspondence between the SJC and the Home Office revealed that the recommendation of the Chief Constable was acceptable to the SJC. He had maintained that 'the nature and extent of the duties now demanded' were too much for the present inspectors and eight new men who would be 'wholly employed in that job only', should be appointed'. He proposed that they should 'rank immediately after Superintendents' and that they should be paid travelling allowances in addition to their salaries.²³ However, correspondence on the matter between HMIC for the Southern District and the Home Office revealed that such a move was far from straightforward. The Inspector advised that the extra men should be applied for by Devon County Council General Purposes Committee, appointed as 'additional constables' and not paid for out of the police rate. He added that the 1839 County Police Act provided for this.²⁴ There followed a spate of exchanges on the topic of who should be responsible for paying the wages, expenses and superannuation of the inspectors, with the Home Office insisting that they 'must be regarded as

²⁰ Reference to local newspapers revealed that similar concerns were being expressed all over the country.

²¹ D.R.O., CC/A10/1/1, S.J.C. Minutes, January 1890

²² D.R.O., CC/A10/1/1, S.J.C. Minutes, January 1890.

²³ HO 45/9700/A50149, Proposed additional Police Constables to Devon force to act as weights and measures inspectors, Correspondence, 1897.

²⁴ HO 45/9700/A50149, Correspondence.

Constables, whose services' would be 'lent' by the Police Authority to the County Council.²⁵ In that case they would not have been eligible for the government grant. In Oxfordshire, the Sub-Committee appointed by the County Council to report on the matter, recommended that 'the existing Police Officers be retained' but did not press for the permanent appointment of extra inspectors. Instead they merely advocated that a 'temporary skilled assistant' should be brought in to carry out the verification and adjustment until the inspectors felt able to take it over.²⁶ There was a different state of affairs in Cheshire where Colonel Hammersley, Chief Constable of Cheshire maintained that it would be 'utterly impossible' for the superintendents who acted as weights and measures inspectors to do their work 'efficiently'. His SJC supported him by informing the County Council that the police 'could no longer perform inspections as before and that the County Council should make arrangements accordingly'.²⁷

It goes without saying that Lancashire with its rapid development of entrepreneurial activity and large population would necessitate more inspections than were required in most other counties. Initially, when Moorsom argued that the police should be relieved of their responsibility for weights and measures inspections he did not receive the same level of support from the Lancashire SJC as that given to Colonel Hammersley. He pointed out that 'ordinary police work' involved 'many more duties than had existed' in 1878. To add weight to his case he compared the situation that had prevailed before the new act came into force with the demands that had been made in the first six months of its operation. In 1889, the inspections had occupied an average of 90 days work per police district, whereas in the first six months of the current year this had risen to an average of 135 days per district.²⁸

The Lancashire County Auditor and the Sub-Committee set up by the SJC to discuss the matter did not agree with him. Pointing out that facilities for inspection had been sited 'at great expense' in police buildings, they maintained that the police's acquaintance with 'different localities' meant that they 'could more efficiently perform the duties than any Inspector that might be appointed from outside'. Significantly though, they felt that the inspectors should be classed as 'regular

²⁵ HO 45/9700/A50149, Correspondence, 12th July 1897.

²⁶ *Jackson's Oxford Journal*, 15th February 1890, p. 6.

²⁷ *Liverpool Mercury* 20th January 1890, p. 5.

²⁸ L.U.L., Proceedings 1890, Letter from Moorsom to SJC, 16th July 1890.

supernumeraries' of the force.²⁹ It appears that up to this point there had been little common ground between Moorsom and the Sub-Committee about acceptable new arrangements for the weights and measures inspections. However, the suggestion about the appointment of supernumeraries had put a different slant on matters and he was soon writing to the SJC in a more conciliatory tone than before. This time he admitted that the suggestions of the Sub-Committee did not actually 'conflict' with his own recommendations, because the work of the 'existing Police' would not be interfered with. The appointments duly went ahead.³⁰ It seems likely that these 'supernumeraries' would have qualified for the government grant, since they were to all intents and purposes members of the force, although they were performing no police duties. However, there is no evidence in the SJC minutes to prove this.

12 months later, as it became clear that even more manpower was needed to carry out the inspections the SJC were unequivocal in their support for Moorsom when the County Council blocked the appointment of further supernumeraries. In a letter to the county finance committee, Moorsom stated that it had been necessary to withdraw 21 Police 'from their allotted duties [...] during a considerable portion of their time' to assist the inspectors of weights and measures. Therefore he was 'obliged in the public interest' to recommend that 13 supernumerary constables should be appointed to 'replace the ordinary Constables now doing the duty'.³¹ In support of the Chief Constable's position, two members of the SJC accompanied him to a meeting of the County Council Finance Committee to present the case for the appointment of more supernumerary police. Their request met with opposition from the Committee members who did not consider that there were 'sufficient grounds' for any alteration, but they agreed to reconsider the situation in three months' time when the system had been in place for a year.³²

Moorsom, clearly dissatisfied with the response of the Finance Committee, persuaded the SJC to make the appointments immediately, suggesting that they should temporarily be paid from the police rate and the Exchequer contribution. This suggests that the county council would usually

²⁹ L.U.L., Proceedings 1890, County Auditor's Report to SJC, 17th July 1890.

³⁰ L.U.L., Proceedings 1890, Letter from Moorsom to SJC, 15th October 1890.

³¹ L.U.L., Proceedings 1891, Letter from Moorsom to County Finance Committee, 20th October 1891.

³² L.U.L., Proceedings 1891, Minutes, November 1891.

have been responsible for the whole cost of employing the supernumeraries.³³ However, when the SJC sought permission from the Home Office to add 13 constables to the force, they were told firmly that the 'desired augmentation' could only be sanctioned if the pay, clothing, incidental expenses and contribution towards superannuation were charged to 'the County Account out of which the expenses of the execution of the Weights and Measures Act' were to be paid. This was a further indication that county were being held responsible for the costs of employing more inspectors.³⁴ Moorsom reiterated the urgent need for the additions to the force, citing 'withdrawals of Constables from beats' as one of the results of the extra inspection work imposed on the police. Again the SJC resolved to support Moorson with an 'urgent request' to the Finance Committee and the County Council that 'the application of the Chief Constable be acceded to'.³⁵ Further progress in the negotiations between the SJC and the County Council is not recorded in the Committee minutes.

There is no evidence in the Cumberland and Westmorland archives to indicate that there had been any disagreement between Dunne and the two SJCs about the method of appointing extra inspectors to meet the demands of the 1889 legislation. However, at the end of 1891 the Committees received a letter from the Board of Trade maintaining that the Acts relating to Weights and Measures were not being carried out efficiently. The main complaints were: there was no 'periodical inspection for the prevention and detection of fraud'; 'Inspectors' scale-beams had not been verified by the Board of Trade'; 'the Board of Trade had not received a report of the Inspectors' duties'.³⁶ Dunne stated that the letter was 'incorrect' in its allegations and that he would present a report at the next quarterly SJC meetings.³⁷ In his lengthy report to the Committees Dunne made a robust defence to counter the charges. Firstly he stated that 40 inspectors had been appointed for Cumberland and 16 for Westmorland. None of HMIC reports for the early 1890s mention a total of 56 inspectors but the 1891 report gives a total of 68 which consisted of 8 superintendents, 11 inspectors, 28 sergeants and 21 constables.³⁸ Then he described how the

³³ L.U.L., Proceedings 1891, Minutes, November 1891.

³⁴ L.U.L., Proceedings 1892, Correspondence from H.O. to Lancashire SJC, 2nd January 1892.

³⁵ L.U.L., Proceedings 1892, Minutes, January 1892.

³⁶ C.R.O., Westmorland SJC Papers, Box 1, 1st December 1891, Chief Constable Report.

³⁷ C.R.O., Westmorland SJC Papers, Box 1, December 1891, Chief Constable Report.

³⁸ P.P., 1891, Reports of the Inspectors of Constabulary, for the year ending 29th September 1890, p.108.

inspections had been carried out annually on 166 days in Cumberland and 26 days in Westmorland. He also gave details of the number of fines that had been imposed and the amount of money that had been collected.³⁹ Dunne asserted that a similar system had been efficiently conducted in the two counties for the last 34 years. He added that they had also complied with a requirement in the 1888 Act for the 'comparison and verification of beams, scales and stamps'. All told, he was satisfied that he had produced evidence which clearly demonstrated that there had been no 'neglect' or 'deficiency' and that the Acts and the regulations' had been 'impartially fulfilled with efficiency and fidelity, in the public interest, without bias or favour on one side or the other'.⁴⁰

His detailed account of how the procedures had been conducted seems to have put an end to any unease that might have been felt by the two SJC's and the concerns of the Home Office. Although it was unusual for such forthright criticism to be levelled against Dunne's administrative procedures, the deficiency here can probably be laid at the door of the eight superintendents who had been appointed as the chief inspectors, since they would have been responsible for the completion of the paperwork that had to be forwarded to the Board of Trade. Dunne, who as the leading Inspector under the Contagious Diseases (Animals) Act was heavily involved in combating further outbreaks of cattle disease during the period in question and perhaps he had failed to check the form filling. Significantly, the Government Inspector's Report for the following year reveals that Dunne had assumed the role of leading Inspector under the Weights and Measures Acts.⁴¹

It is difficult to disentangle the information about the financing of the weights and measures inspections during these changes. In a police circular of 1870, the Home Secretary had included the inspection of weights and measures in a short list of additional duties that could be undertaken by the police without the government grant for the officers involved being removed.⁴² However, the Home Secretary in correspondence with the Board of Trade in 1893 stated that payment of the grant had ceased after 1888. Furthermore, having consulted HMIC he advocated that the inspection

³⁹ C.R.O., Westmorland SJC Papers, Box 1, 23rd December 1891, Chief Constable Report.

⁴⁰ C.R.O., Westmorland SJC Papers, Box 1, 23rd December 1891, Chief Constable Report.

⁴¹ P.P., 1892, xli.1, Reports of the Inspectors of Constabulary, for the year ending 29th September 1891, p.116.

⁴² HO 45/9700/A50154, Augmentation of Glamorganshire Constabulary for inspection of Weights and Measures, Minute, 29th July 1893.

work should be handed over entirely to the county councils.⁴³ Therefore, on the one hand the Home Office were keen for the police to be relieved of the inspection work because it was encroaching on their primary responsibilities but some county councils were reluctant to take it on completely because it would have been very expensive to pay the salaries of the increasing numbers of inspectors who were needed.

Gradually county councils appointed inspectors to do the work. However, there were reasons why the amount of backing for chief constables' proposals to deal with the extra inspections had varied and why police involvement in the process was withdrawn at different stages. Significantly, the most serious concerns had arisen soon after the creation of county councils and standing joint committees. At this stage some SJs were initially reluctant to appoint more police to do some or all of the inspections because of uncertainty about how they would be paid. As was shown in Chapter Four, the fiscal power of the SJs was a matter of considerable concern and some misunderstanding in those early months. However, when the Home Office unequivocally stated that the county council must meet the cost incurred in employing the men, the Committees were more willing to concur with their chief constables' suggestions. Another cause for SJs to be cautious in their support for chief constables probably stemmed from the inexperience of those who had not been involved in the former Quarter Sessions supervision of the police. For example, one third of the first Durham and Cumberland SJs were not magistrates and even those who had previously served as justices would probably not have had close contact with chief constables unless they had been members of Quarter Sessions Constabulary Committees

Additions to county forces

The numerous petitions that were made by chief constables for increases to county forces met with varying responses from SJs. In January 1892 White made a strong case for the appointment of 35 more constables, two more inspectors and three more sergeants in Durham. His argument was based on the fact that the county's population had increased by 88,900 between the censuses of 1881 and 1891, and he also cited the disturbances of the previous year, when manpower had been

⁴³ HO 45/9700/A50154, Correspondence, 13th October 1893.

stretched.⁴⁴ Moreover, he maintained that since the boroughs of Stockton, Darlington, Jarrow and West Hartlepool had been incorporated with the county for police purposes the territory covered by the county police had acquired more of an urban than a rural character. The ‘close proximity’ of the large and heavily populated towns of Newcastle and Middlesbrough further accentuated the problems. He argued that although the 1890 Police Act had recommended a ratio of one constable to 1,000 head of population, the county police would be likely to receive their certificate of efficiency with the ratio of 1: 1,283, which would be achieved with his proposed increases.⁴⁵ The existing ratio was 1:1,373.

However, the SJC delayed a decision about increasing police numbers until their July meeting, when Lieutenant Colonel John Eden had replaced White as Chief Constable. Eden pointedly reminded members that law and order had only been maintained when the county had been in ‘a disturbed state’ [...] due to prolonged strikes with the assistance of extra police from other counties. Then he declared that the county could not be efficiently policed without a large addition to the present force.⁴⁶ Like his predecessor, Eden made a number of comparisons with other counties to prove his point. He declared that even with an addition of two inspectors, three sergeants and 45 constables which would most likely be necessary by this stage for the county to be deemed ‘efficient’, the county would have fewer police than Lancashire, West Riding, North Riding, Cheshire and ‘many other counties’. He reiterated that at the present time the ratio of police to population in Durham which was the sixth largest administrative county in England was 1: 1,373 which was low, even in agricultural counties. He also commented on the problems caused by the peculiar nature of the Durham landscape which was ‘thickly populated’ by urban centres and ‘mining villages’.⁴⁷

In response to his request, the Liberal Unionist, Horsley moved that the force should be increased as proposed and this was seconded by the Tory Sir William Eden. However, the Liberals, Storey and Samuel moved and seconded an amendment that a decision should stand over until the next

⁴⁵ D.R.O., CC/A10/1/1, S.J.C. Minutes, January 1892.

⁴⁶ D.R.O., CC/A10/1/1, S.J.C. Minutes, July 1892.

⁴⁷ D.R.O., CC/A10/1/1, S.J.C. Minutes, July 1892.

meeting when a sub-committee had been able to discuss the matter more fully. The amendment was carried.⁴⁸ At the ensuing sub-committee meeting it was resolved that the Chief Constable should prepare a statement showing 'the population, the number of cases, and the strength of the police force in each petty sessional division in 1881 and 1891'. Furthermore, they required him to show 'the present allocation of the force and the estimated population which each officer had in his charge and whether any and what arrangements could be made as between the rural and urban districts'.⁴⁹ Eventually, in April 1893, an addition of one inspector, five sergeants and 25 constables was proposed by the Sub-Committee and accepted by Durham SJC.⁵⁰ In this procedure, 30 of the 50 police requested by Eden were appointed. Perhaps his petition had been more successful, although still subject to considerable delay, because he was new to the post. In 1895, an explanatory letter in the local press indicated that he was being frustrated in his efforts to make necessary increases to the Durham force. He stated that he had not been able to appoint two more men in Shildon, an increase that was justified by the rise in population because the SJC 'did not see their way to sanction' it.⁵¹ There are no details of Eden's dealings with the SJC in this matter, but the fact that he had been compelled to resort to the correspondence columns of a newspaper gives some indication that he was encountering problems.

Moorsom's usually successful requests to the quarter sessions in the previous decade for increases to the county force have been documented in a previous chapter, as have the problems which were created by the swift growth of population and the continuing industrialisation. In the 1890s, the Lancashire SJC minutes reveal that Moorsom made annual applications to the Committee for more recruits. Unlike their counterparts in Durham, the SJC rarely challenged these requests. For example, in 1898 they supported Moorsom when he said that more police were needed in Morecambe to cope with the seasonal influx of tourists between May and September. However, the Home Office did not immediately sanction the recruitment of more men on this occasion, because they were concerned about how they would be occupied during the winter months. Moorsom's frustration can be detected in his reply to the Home Office which was upheld by the Committee. He

⁴⁸ D.R.O., CC/A10/1/1, S.J.C. Minutes, July 1892.

⁴⁹ D.R.O., CC/A10/1/1, S.J.C. Minutes, October 1892.

⁵⁰ D.R.O., CC/A10/1/1, S.J.C. Minutes, April 1893.

⁵¹ *Northern Echo*, 20th November 1895, p. 6.

argued that while ‘the inefficient system of locally administered forces’ which curbed his ‘power’ to provide for the influx of an ‘enormous summer population’ continued, ‘some such temporary expedient’ would be ‘absolutely necessary’.⁵²

When Lancashire boroughs seceded from the county police, the SJC depended on Moorsom to develop strategies to deal with the resulting problems. In the 20 years from 1880-1900, the number of Lancashire municipal and county boroughs rose from 22 to 33 and the number of borough police forces from 13 to 21. Although the procedure by which a borough established its own police force was straightforward, a query in *Justice of the Peace* was typical of the anxiety expressed by urban authorities who were contemplating this step. The correspondent asked whether a borough needed to obtain the consent of county council ratepayers or the Secretary of State in order to establish its own force. The answer was that neither was necessary since a majority vote from the town council meant that the borough could give notice to the SJC to terminate their agreement with the county police.⁵³ However for Moorsom the fall-out from the process was far from simple since the logistics in reorganising the stationing of the Lancashire force when such changes took place was extremely complicated.

The knock-on effects for the county police that could arise in such circumstances were outlined in Moorsom’s report about Bury’s proposed withdrawal from the county force in 1893. In April he had already presented to the SJC a map on which places were highlighted in different colours to show how the police would be redistributed.⁵⁴ At the following month’s meeting he explained that although 55 county police would be taken from the borough at midnight on 15th September, 20 of them would have to be retained ‘to protect portions of the County District bordering the Borough’. If the remaining 35 men were not reemployed by the Borough they would need to be ‘absorbed into vacancies elsewhere’. Therefore, Moorsom had stopped all recruitment into the county police and all promotions were made ‘subject to reduction, should the establishment have to be reduced’. In addition, the divisional police headquarters and the court rooms which had been situated in Bury

⁵² L.U.L., Proceedings 1898, Chief Constable Correspondence with Home Office, 13th January 1898.

⁵³ Skyme, *Justice of the Police*, 26th May 1894, p. 340.

⁵⁴ L.U.L., Proceedings 1893, Chief Constable Report to S.J.C., 20th April 1893.

would have to be transferred to elsewhere in the depleted division.⁵⁵ At every stage of this proposed reorganisation the SJC had approved the procedures that Moorsom proposed. After all these preparations had been undertaken, considerable annoyance must have been caused by a letter which arrived from the Home Office in July. This stated that since the resolution of Bury Town Council to 'terminate the agreement' with the 'County Authorities' for the policing of the Borough had not been passed with the 'required majority', the Home Secretary 'was not able to give his sanction to such a termination'.⁵⁶

Moorsom was confronted by a similar redeployment of personnel when the boundaries of firstly Manchester, and later Liverpool were extended. Furthermore, the obtaining of Extension Orders for the two cities was a more drawn-out process than that which was associated with the establishment of new borough police forces. This was due in part to fierce opposition in each case from Lancashire County Council which faced a substantial loss of revenue from the rates, as populous and entrepreneurial districts were absorbed into the cities.⁵⁷ In 1890, it was stated that the County Council which stood to lose £389,000 of rateable value by the extension of Manchester and Liverpool was proposing to spend £1,000 to oppose the Extension Bills for the two cities.⁵⁸ When in each case the County Council withdrew its opposition to the city extensions, Moorsom was confronted with similar logistical problems to those which were encountered when boroughs set up their own forces. Again his proposals were received favourably by Lancashire SJC. For example, under the Liverpool Extension Order of November 1895 that incorporated Toxteth Park, Walton-on-the Hill, Wavertree and West Derby, 146 county police were to become 'non-effective', i.e. they could choose either to join the Liverpool constabulary or to be relocated in the county force.⁵⁹ Since those who transferred to the city force would 'hold office upon the same tenure and upon the same terms and conditions' as before, it was essential that all records were fully completed and

⁵⁵ L.U.L., Proceedings 1893, Chief Constable Report to S.J.C., 4th May 1893. Lancashire SJC Minutes do not give details about the actual relocation but it was not unknown for county police headquarters to be located within a borough which had its own constabulary, and was also a convenient transport hub. Examples were: Herefordshire; Nottinghamshire; Cumberland and Westmorland.

⁵⁶ L.U.L., Proceedings 1893, Letter from H.O. to SJC, 8th July 1893

⁵⁷ *Liverpool Mercury*, 16th March 1894, p. 6.

⁵⁸ *Liverpool Mercury*, 5th February 1890, p. 6.

⁵⁹ L.U.L., Proceedings 1894, Report from the Clerk of the Peace to SJC, 15th February 1894.

handed over. While they carried out ‘the same or similar duties’, their pay and pension entitlements were to be ‘no less’ than if they were still in the county force’.⁶⁰

To analyse all the consequences of the changes to the organisation of Lancashire policing in the 1890s would be a very lengthy process. Suffice it to say that the police figures in HMIC annual reports between 1893 and 1897 make for interesting reading. Obviously, the number of superintendents was static at 24, one in each division. In the other three ranks, numbers fluctuated but in 1897 there was one fewer inspector, five more sergeants and one fewer constable than there had been in 1893. This lack of growth suggests that as the creation of new borough forces and the extension of the largest boroughs stabilised, fewer county police were needed in the reorganisation.

When responsibility for the county police passed to the Standing Joint Committees in Cumberland and Westmorland where there was a less pressing need for repeated increases to the joint force Dunne was given a free rein to make decisions about recruiting and stationing (except on the previously mentioned occasion when the Westmorland SJC overruled him in his disagreement with the Windermere and Bowness magistrates). In an early report on policing in the two counties, HM Inspector Woodford had recognised that the peculiar character of their geography and population distribution required a careful distribution of personnel. He stated that whereas there were ‘extensive tracts of country’ where a constable would be ‘rarely, if ever, required’, it had ‘struck’ him ‘very forcibly’ that ‘in the towns, those especially on the sea-board, the number of constables’ was ‘vastly disproportionate to their extent, and to certain classes of the population’. Furthermore, he felt that ‘some of the larger villages (on cross roads) needed resident constables and that superintendents, inspectors and sergeants who would be frequently absent from their police stations needed the ‘permanent assistance of one or more constables’.⁶¹

Over three decades later, the ‘towns [...] on the sea -board’ in Cumberland were continuing to require more policing than was necessary in Westmorland. As was stated in Chapter Three, Dunne was apt to make temporary transfers of policeman from the Westmorland force to meet a current

⁶⁰ *Liverpool Mercury*, 26th July 1895, p. 5.

⁶¹ P.P., 1858, xlv11.657, Reports of the Inspectors of Constabulary, for the year ending 29th September 1857, p.42.

contingency in that district.⁶² (See Chapter Three) One example of this occurred in 1889, when George Mackay, Chief Constable of Carlisle requested that a policeman should be stationed at Arnside, a small 'seaside place' on Morecambe Bay where there was a problem with tramps, many of them 'very bad characters'. He also mentioned the disruption caused by 500 young trippers from Barrow who had been responsible for 'depredations' when they descended on Arnside.⁶³ In some respects his alarm is understandable. Arnside in Westmorland which admittedly is 48 miles from Carlisle was an entry point into the Lake Counties and a busy tourist spot. It was one of a group of seaside resorts along the north and north east sides of Morecambe Bay, close to the border between Westmorland and Lancashire and probably near one of the vagrants' trails that crisscrossed the Lake Counties. There was access to Arnside from the Carlisle and Lancaster Railway which opened in 1846. After 1858 people arrived by sea on a regular steamer service.⁶⁴ Towards the turn of the century, the sea began to retreat from Morecambe Bay and tourism declined.⁶⁵ Mackay might have been trying to make things difficult for Dunne, Several decades earlier Dunne had made fruitless attempts to persuade the authorities in Carlisle and Kendal that their constabularies should be absorbed into the Cumberland and Westmorland force. Therefore, it is possible that some lingering bitterness persisted. Moreover there had been (as reported in Chapter One) some ill feeling between the two men concerning Dunne's post being wrongly delivered to Carlisle police headquarters.⁶⁶ To allay Mackay's concerns, Dunne recommended that a constable should be temporarily transferred to Arnside from elsewhere in the area – a solution which was acceptable to the SJC.⁶⁷

When difficulties occurring at Hutton Roof because of the 'disorderly behaviour of persons employed upon the works of the Thirlmere Aqueduct' caused the Lonsdale Petty Sessional Magistrates to apply to the SJC for assistance, Dunne again managed to avoid a further permanent appointment. This time he suggested that the Corporation of Manchester which was constructing

⁶² See Chapter Three, p.91.

⁶³ C.R.O., Westmorland S.J.C. Papers, Minutes, August 1889

⁶⁴ A. Harris, 'The seaside resorts of West Lancashire, north of the Sands', *Transactions of the Historic Society of Lancashire and Cheshire* (1963), pp. 147-162.

⁶⁵ APPENDIX TWO, p. 271.

⁶⁶ See Chapter One, p. 35.

⁶⁷ C.R.O., Westmorland S.J.C. Papers, Chief Constable Report, August 1889.

the water works should be approached about paying for a special constable.⁶⁸ Dunne maintained his policy of recommending the recruitment of additional constables by companies and private employers in following years.⁶⁹ In his report of November 1892, he mentioned ‘the Maryport and Carlisle Railway, the West Cumberland Iron and Steel, the Whitehaven Collieries, the Millom and Askham Hermitage Iron’ as Companies which paid for the services of constables. This was in addition to Manchester Corporation which by now was paying for eight policemen to protect their construction. As he pointed out to the two SJs, this system benefited ratepayers, because in addition to their duties for the companies which employed them, these additional constables were available to assist ‘with strikes and on urgent occasions’.⁷⁰ This message was restated in the following year when Dunne sought approval from the Home Office to ‘assign to the Pension Fund 20 per cent of the whole receipts for special services’ an action which had already been adopted by the Northumberland Police Authority. Again he mentioned the ‘considerable saving to the ratepayers in the prevention of crime and the probable permanent increase in the police’.⁷¹

In addition to this method of dealing with temporary emergencies, Dunne obtained the agreement of the Cumberland SJ for several permanent enlargements of the force. However, the increase of two superintendents and two constables in 1891-2 did not satisfy Government Inspector Croft who stated in his 1893 Report that the Cumberland force was ‘a rather small one for the population’.⁷² Croft responded positively to an increase of five constables in 1894, but commented that ‘a few more men’ were ‘certainly required’.⁷³ In reply, Dunne reported that the Cumberland Constabulary Committee had recommended the appointment of five more men. He agreed that ‘such an increase’ was ‘absolutely necessary’.⁷⁴ In the following year five more constables were recruited. Although

⁶⁸ C.R.O., Westmorland S.J.C. Papers, Chief Constable Report, June 1889.

⁶⁹ See C. Williams, ‘Constables for hire: the history of private “public” policing in the UK’, *Policing and Society*, 18, 2 (2008), pp. 190-205 in which he demonstrated that the practice of paying for the services of a police force by private individuals or organisations has been in existence for much longer than has sometimes been claimed. In fact he maintained that their employment for the kind of duties which have been described in this case has been the most neglected element of the custom.

⁷⁰ C.R.O., Westmorland S.J.C. Papers, Chief Constable Report, November 1892.

⁷¹ C.R.O., Westmorland S.J.C. Papers, Correspondence, 13th January 1893.

⁷² P.P., 1894, xlii.1, Reports of the Inspectors of Constabulary, for the year ending 29th September 1893, p. 79.

⁷³ C.R.O., Westmorland S.J.C. Papers, September 1894. The Inspector was producing separate official reports for Cumberland and Westmorland by this stage, but he wrote a letter to the Chief Constable about his findings in both counties. Although the official report for Cumberland in 1884 made no mention of a need for more police, his letter to Dunne concluded with the above comment.

⁷⁴ C.R.O., Westmorland S.J.C. Papers, Correspondence from Chief Constable to HMIC, 16th October 1894.

the perceived policing needs in Cumberland paled into insignificance in comparison with those of Lancashire and Durham, the SJC were aware that the annual government subvention was dependent on a favourable report from Croft.

Several important points emerge from this review of the necessary increases in three of the four counties in the study and of the part played by the county chief constables in achieving them. The circumstances in each region which would probably determine the required level of policing were summarised in Chapter Two. It has been demonstrated here that their requirements certainly did vary and that their requests for additions to their forces were presented and received in different ways. Despite their powerful evidence showing that the local situation was more urgent than that in Cumberland and Westmorland, White and Eden had to wait many months for the SJC to accede to their appeals for an increase. What emerges strongly from the Durham SJC minutes is the derogatory way in which the Committee (now dominated by Storey), treated Eden when he brought up the subject in July, six months after White had first approached them. It was totally unnecessary after all the research that the two chief constables had already conducted, for the SJC to set up a sub-committee to consider the situation and to commission Eden to investigate the needs of each division at that late stage. Their actions can only be construed as an attempt to remind Eden who was in charge.

It has been demonstrated that policing needs in Lancashire and Cumbria were different from those in Durham and in neither case did their Chief Constable experience the problems that confronted White and Eden since they had a rapport with their police authorities which was absent for the other two chief constables. Moreover their professional judgement was respected. Moorsom faced the same problems of rapid development and population growth as White and Eden but it has been shown that in their annual support for the increases that he requested, the SJC recognised the validity of his case. What separated the manpower needs of the Lancashire constabulary from those of Durham and Cumbria was the policing of extensive urbanisation which caused particular problems on a scale unknown outside the metropolis. In Cumbria, although HMIC had identified that the policing of large expanses of countryside and small isolated communities presented their own problems there was never going to be a need for a regular augmentation of the joint force.

Instead, Dunne continued to resort to the juggling of small numbers of police when and where it was necessary.

The complications of obtaining pay increases

When White presented his case for higher rates of pay for the lower grades of the Durham Constabulary in 1890, he had done his homework. Having drawn up a comparison with scales of pay in 'adjoining boroughs and the principal northern counties' he could show that the pay of Durham sergeants and constables was below that of nearly all the boroughs and several other counties, including Lancashire. Furthermore, since there had been a general rise in the wages of the working classes, it would have been difficult for the Committee to refuse his recommendation that both ranks should receive a maximum increase of 2s 11d a week except for probationary constables who would receive 7d more on entry to the force.⁷⁵ However, when he used similar arguments a few months later to argue a case for pay rises for inspectors, superintendents and the Deputy Chief Constable, some committee members were slower to grant his request, and wanted to see further evidence from Derby, Glamorgan, Northumberland, Staffordshire and the North Riding. Although an increase to bring Durham pay in line with that of Lancashire and the West Riding was finally approved, this was not before an amendment that no pay rise should be given had been defeated. It had been moved and seconded by Liberal Councillors Hay and Robinson.⁷⁶ Later in the year, the SJC approved Eden's request that rent allowances for the police should be increased to bring them in line with rent rises. However, whereas Eden had asked for an additional 3s a week for men paying an annual rent of £12 and 4s for men paying £15, the sums suggested by the sub-committee were 2s.6d and 3s respectively.⁷⁷ This was early in Eden's time in office and there is nothing in the SJC minutes to reveal whether he encountered the same kind of obstruction from the SJC over pay increases as he had in relation to additions to the force.

In 1897, with the approval of Lancashire SJC, Moorsom petitioned the Home Secretary for a pay rise on behalf of the Lancashire police. In his response, the Home Secretary requested 'a somewhat fuller statement of the grounds' which had led the Committee to sanction 'the alteration' in pay

⁷⁵ D.R.O., CC/A10/1/1, S.J.C. Minutes, October 1890.

⁷⁶ D.R.O., CC/A10/1/1, S.J.C. Minutes, July 1891.

⁷⁷ D.R.O., CC/A10/1/1, S.J.C. Minutes, 28th November 1891.

scales which had been implemented 'so recently as 1891'. In the SJC meeting, Moorsom stated that he had been memorialised by 20 Divisions who had maintained (correctly) that their pay and allowances were 'inferior' to other forces in the county. Since the pay scales were not always completed in HMIC reports, it is not possible to check how far this was true. However, the county rates of pay were certainly less than some boroughs including Barrow-on-Furness, Blackburn, Liverpool and Manchester.⁷⁸ Moorsom added that in fact revised pay scales had been introduced more frequently in the 1860s and 1870s - in 1865, 1868, 1872, 1873 and 1876 to be exact. Committee members resolved that Moorsom's explanation should be forwarded to the Home Secretary.⁷⁹

When Dunne was petitioned by the Cumberland and Westmorland forces in March 1899 for an increase in their pay, his attempts to meet their demands were met with some opposition from the two SJCs. The police had made a strong case, maintaining that they been on the same rates of pay for 25 years and that the pay of police in neighbouring forces was much higher than theirs. They also pointed out that since the wages of all workers had had 'an upward tendency' over the past two years their claim was justified if they were to 'keep in pace with the times and share in the general prosperity of the country'.⁸⁰ In support of his men, Dunne initiated a campaign which lasted several months to obtain a pay rise for the force. To begin with, he obtained figures from all the other northern county chief constables in order to make a comparison between the pay of the Cumberland and Westmorland police and that of other forces.⁸¹

When Dunne had tabulated all the results he was able to demonstrate that the weekly and yearly average pay of all ranks in the eight surrounding counties and also of those of the Carlisle City force was higher than that of the Cumberland and Westmorland police.⁸² Taking an average instead of making a straight comparison with each county did however mask the fact that in a few cases (usually relating to the East Riding and Northumberland forces which were the smallest in the survey) the pay of individual ranks was higher in Cumberland and Westmorland. Nevertheless, the

⁷⁸ P.P., 1893, xxxlx.1, Reports of the Inspectors of Constabulary, for the year ending 29th September 1892, p. 96.

⁷⁹ L.U.L., Proceedings 1897, Minutes, 15th January 1897.

⁸⁰ C.R.O., Westmorland S.J.C. Papers, Petition to Chief Constable, 28th March 1899.

⁸¹ C.R.O., Westmorland S.J.C. Papers, Petition to Chief Constable, 28th March 1899.

⁸² C.R.O., Westmorland S.J.C. Papers, Chief Constable Report, 21st July 1899.

differences between the average yearly pay of all ranks in the local force and that of all ranks in the other counties were striking, particularly in the case of the superintendents. In the 8 counties their average pay ranged from £4.19s.4d to £43.4s.2d more than that of Cumberland and Westmorland superintendents. In the other ranks inspectors were paid from £16.5s.0d to £16.12s.4d more, sergeants from 14s.1d to £5.3s.9d more and constables from £4.4s.2d to £5.17s.10d more.⁸³

At the July meeting of the Westmorland SJC, Dunne presented his proposals for the pay rises which had been presented to the Cumberland SJC in the previous week. They were to increase the annual pay for all ranks by the following amounts: superintendents £18.5s.0d; inspectors £10.12.11d; sergeants £4.11s.3d; constables £4.11s.3d. Although the Committee were ‘unanimously’ in favour of the increase which Dunne had ‘suggested’ for constables, there was ‘a division of opinion’ about the pay increase for officers. Therefore it was resolved that a Special Committee should be set up with representatives from the Cumberland SJC to ‘confer’ on the matter.⁸⁴ The meeting of representatives from the two counties did not take place until 29th September but in the meantime Dunne amassed nine pages of supplementary material to assist the Special Committee in their deliberations.

This took the form of eleven questions and answers which gave information about the nature of policing in the two counties and the difficulties which were encountered by the men in their day to day work. In Dunne’s very thorough analysis of the reasons why the Cumberland and Westmorland police deserved a pay rise, he compared the working conditions of the police with those of other trades and pointed out that other workers were paid for 6 days’ labour and their wages often exceeded the amount that the police received for 7 days’ work. Furthermore, unlike many other workers they were required to work unsocial hours and the large distances of their beats made the job more physically demanding than that of their urban counterparts.⁸⁵ He claimed that the proportion of police to population in both counties was ‘materially less’ than in other northern counties making the job of the force more difficult. However, this ‘economy’ of ‘having the work done by the smallest number of constables’ had saved ‘many thousands of pounds’. Dunne

⁸³ C.R.O., Westmorland S.J.C. Papers, Chief Constable Report, 21st July 1899.

⁸⁴ C.R.O., Westmorland S.J.C. Papers, Chief Constable Report, 21st July 1899.

⁸⁵ C.R.O., Westmorland S.J.C. Papers, Chief Constable Report, 11th September 1899.

dispelled the idea that policing rural areas was 'less onerous and easier than in towns', since rural police who were often 'many miles from a superior officer had to act promptly and vigorously upon their own initiative'. He felt that the applicants to the force were less well qualified than in previous years because the 'best qualified men' were tending to go to other districts where the pay was higher.⁸⁶

When Shpayer-Makov compared Metropolitan Police rates of pay with those of other occupations, she discovered that towards the turn of the century any financial advantage that had been accrued from the material benefits that the force had offered in earlier decades had disappeared and with the rise in standards of living, expectations were much higher, leading to rising discontent about pay scales.⁸⁷ She stated that whereas sergeants' wages were equivalent to those of skilled artisans and the higher ranks were well paid, constables 'hardly eked out more than a meagre sustenance'. She added that rising prices, especially in London, added to their hardship. Furthermore, although Metropolitan officers earned more than most other forces, Schpayer Makov cited 6 boroughs where the maximum weekly wage of a constable was higher than in the Metropolitan force.⁸⁸ The generally accepted explanation of the increases in police wages is that county pay tracked that of borough and Metropolitan police which was based on private sector remuneration.

Listing the range of different responsibilities that were being shouldered by the police, Dunne could not resist the opportunity of mentioning his own part in combating cattle disease and how he had been instrumental in saving over £9000 by the salvage of cattle. He mentioned that he had been seriously ill as a result of this activity and that both county councils had refused to pay his expenses or to recompense other police officers who had been involved in this work. On the grounds that if a pay increase was granted to the county police it would be the first one in 25 years, Dunne thought it was 'most improbable' that a further one would be requested in 'the near future'. He added that the eight other forces in his survey had received an increase since 1891'.⁸⁹ When the Special Committee was convened on 29th September it was resolved that it was 'desirable for the pay of some, if not all members of the Police Force of the Counties of Cumberland and Westmorland be

⁸⁶ C.R.O., Westmorland S.J.C. Papers, Chief Constable Report, 11th September 1899.

⁸⁷ H. Shayer-Makov, 'The Making of a Police Labour Force', *Journal of Social History*, 24, 1 (1990), p. 116.

⁸⁸ H. Shpayer-Makov, 'police labour force', p. 117.

⁸⁹ C.R.O., Westmorland S.J.C. Papers, Box 2, Chief Constable Report, 11th September 1899.

increased'. Although Mr Dobson and Mr Fletcher, Cumberland Liberals, moved an amendment against the increase for superintendents, it was defeated and all the increases proposed by Dunne were accepted, with a few slight alterations.⁹⁰

There are no detailed records of the SJC discussions that took place when Dunne applied for his own pay rise early in the following year. As was his wont he had written at length to justify his claim. He stated that his annual salary of £600 was below the average for the chief constables of the other eight counties in his survey and added that 'in many counties' the chief constable was also provided with 'a free house'. He reiterated his continuing success in keeping police numbers to the 'minimum' which was consistent 'with a due regard' for efficiently protecting 'life and property', maintaining 'good order' and preventing and detecting criminal activity. This had resulted in police rates that had been 'relatively less than in other counties generally'.⁹¹

Listing the extra duties which had been devolved on the police and on himself in particular over recent years, he again highlighted his part in eliminating 'pleuro-pneumonia' in Cumberland cattle by 'an efficient system of slaughter, coupled with isolation and disinfection of diseased animals, thus preventing the spread of the disease into Westmorland. He also mentioned that he had operated a similar system to deal with 'Cattle Plague, Foot and Mouth Disease and Swine Fever'. Dunne made reference to the amount of more mundane day to day administration which had 'materially' increased during the previous 21 years, namely 'the official correspondence, the general orders, circulars and other letters' alongside 'the appointment, distribution, organisation, discipline, supervision and general management' of the force. In conclusion he stated that although he could have 'quoted many more instances' to illustrate 'the nature' of his responsibilities, it was not 'pleasant to advert more fully one's general public services'.⁹²

As in the case of the pay increase for the rest of the force, a Special Committee was set up to consider Dunne's request. Although there is no information about the level of support that Dunne received from the delegates, it is clear that there was considerable opposition to awarding a substantial increase in the Chief Constable's annual pay. Dunne was approaching retirement and

⁹⁰ C.R.O., Westmorland S.J.C. Papers, Box 2, Minutes of Special Committee, 29th September 1899.

⁹¹ C.R.O., Westmorland S.J.C. Papers, Box 2, Chief Constable Letter to SJCs, 13th February, 1900.

⁹² C.R.O., Westmorland S.J.C. Papers, Box 2, Chief Constable Letter to SJCs, 13th February 1900.

there was reluctance to grant a large increase which would soon have to be paid to his successor. Therefore a letter was sent to the Home Office to enquire whether it was permissible to award a gratuity of £1000 to Dunne 'in recognition' of his 'most valuable services to the two counties during his long term of office'.⁹³ The reply from the Home Office stated that the Home Secretary was unable to 'sanction' this move because he had 'no power to award such a gratuity from public funds'. As a result, a resolution was passed that the salary of the Chief Constable should be raised to £700, but that this should be made 'personal to the present holder'.⁹⁴ This outcome was approved by the Home Secretary.⁹⁵ Although there is no reference to the question of a possible gratuity for Dunne in Home Office files, other similar cases are mentioned. For example the Derbyshire SJC had asked whether a gratuity could be paid to their Deputy Chief Constable who had been acting Chief Constable for a prolonged period. Again the Home Secretary had refused to sanction it.⁹⁶

Further areas of conflict between chief constables and standing joint committees

On the rare occasion when Moorsom's actions came under fire from the Lancashire SJC he was quick to defend himself. A case in point was when the SJC resolved that 'a mistake had been made' by Superintendent Cocker who had rearrested John Thomas Tyson, 'an absentee from the Militia' after the South Lonsdale Petty Sessional Magistrates had discharged him.⁹⁷ In defence of Superintendent Cocker, Moorsom was at pains to point out that he was placed in a 'very difficult situation' because of 'the twice repeated request of the Commanding Officer' that Tyson should be arrested 'on the one hand' and the 'unusual action' of the Magistrates 'on the other'.⁹⁸ Although Moorsom had not been directly involved in the incident, he had been mentioned and his role in the affair had been commented on in the press and by the SJC and he felt that he needed to set matters straight. He maintained in correspondence to the Home Office that on discovering that Tyson had been arrested for the third time, he had directed that he should be released.⁹⁹ Furthermore, he repudiated the report that he had promoted Superintendent Cocker for his actions. In fact his

⁹³ C.R.O., Westmorland S.J.C. Papers, Box 2, Report from Special Committee, 22nd February 1900.

⁹⁴ C.R.O., Westmorland S.J.C. Papers, Box 2, Home Office Letter, 14th March 1900.

⁹⁵ C.R.O., Westmorland S.J.C. Papers, Box 2, Home Office Letter, 22nd May 1900.

⁹⁶ HO 45/9700/A50148, Rates of pay, etc. and appointment of Chief Constable Derbyshire, Minute.

⁹⁷ L.U.L., Proceedings 1900, Minutes, 18th October 1900

⁹⁸ L.U.L., Proceedings 1900, Chief Constable Report to SJC, 14th November 1900.

⁹⁹ L.U.L., Proceedings 1900, Chief Constable Report to SJC, 14th November 1900.

decision to transfer Cocker to another division had been communicated to Cocker himself and the Chairman of the Justices three months before the events in question. Moorsom also expressed regret that he 'should have occasion to differ with any Magistrate' but regrettably he had on this occasion. He questioned the accuracy of the complaint and the way in which it had been presented. He hoped that in the future the SJC would not 'be called on to consider a report against anyone under his orders'. Having listened to Moorsom's explanation the Committee expressed no further recriminations and resolved to accept his report.¹⁰⁰

In November 1903, Moorsom found himself at odds with his SJC over the intractable problem of vagrancy. In a communication from Gloucestershire SJC, their Lancashire counterparts were urged to support an appeal to the Government 'for the introduction of a more effective system of dealing with vagrancy'.¹⁰¹ In connection with this request, Moorsom had been in contact with H. Jenner-Fust, General Inspector of the Local Government Board, who had remarked that there were no reliable figures for assessing the scale of vagrancy in the casual wards of Lancashire and he doubted that there was 'much increase in vagrancy proper'. Moorsom added that in fact the Lancashire Police Returns for 1898-1902 showed a decrease in 'the numbers proceeded against for vagrancy'.¹⁰² Therefore, Gloucestershire's appeal did not appear to be supported by the Lancashire vagrancy figures. Despite Moorsom's view on the matter, the Committee decided to participate in the Gloucestershire petition.¹⁰³

In Durham, Eden faced mounting criticism and lack of support from the SJC through the 1890s. In 1895, Wharton lost the chairmanship of the Committee to Samuel Storey on the drawing of lots. There is no record of the voting but this remedy had been necessary because a tie had resulted from the politically balanced SJC.¹⁰⁴ Several years later when the Home Office had once again become involved in the affairs of the Durham Standing Joint Committee an official described Samuel

¹⁰⁰ L.U.L., Proceedings 1900, Minutes, 18th December 1900.

¹⁰¹ L.U.L., Proceedings 1903, Chief Constable Report to SJC, 18th November 1903

¹⁰² See R.Vorspan, 'Vagrancy and the New Poor Law in Late Victorian and Edwardian England', *English Historical Review*, Vol. 92 (January 1977), pp. 59-81. By virtue of his length of time in office Moorsom would have been well aware of the factors which contributed towards the unreliability of the calculations of the number of vagrants in any given year. Furthermore he would have been acquainted with the repeated attempts of Central Government to deal with the problem and the inconsistency of some local authorities in enforcing the legislation. Thus his reluctance to support the Gloucestershire action is understandable.

¹⁰³ L.U.L., Proceedings 1903, Minutes, November 1903.

¹⁰⁴ D.R.O., CC/A10/1/2, SJC Minutes, April 1895.

Storey as 'the ruling spirit of that body' who had been 'continually at odds with the late Chief Constable, Colonel Eden'.¹⁰⁵ The record certainly seems to bear that out. One example of this confrontational situation occurred in April 1897, when Eden was accused of neglecting to use the services of Dr Biggart, the appointed police surgeon for West Hartlepool division. The reason for this, according to Eden, was that he had 'performed [...] certain duties [...] in a somewhat careless manner' on previous occasions. It was suggested to Eden that Dr. Biggart 'should have been given details of what he was supposed to have done' before another doctor was called in. Storey moved that the Committee regretted that Biggart had not been consulted and a Sub Committee was set up to consider this incident and other problems relating to the deployment of police surgeons.¹⁰⁶ In 1898, Eden was under fire about the resignation of the former Superintendent and Deputy Chief Constable Thomas Wilkinson and the subsequent appointment of Harry Webster as his replacement. At an SJC meeting, a resolution was passed that no further discussion was needed but that the Chief Constable should consult the Chairman of the SJC in future before taking important decisions.¹⁰⁷ This is yet another indication that some members of the SJC were attempting to reduce the Chief Constable's control of the force.

Another indication of Storey's attempt to undermine Eden could be detected in his proposal that a Sub-Committee should be appointed 'to consider and revise' the police regulations, a task which in 1889 had been devolved to White.¹⁰⁸ Moreover, it soon became apparent that the newly appointed Police Regulations Sub-Committee was dealing with matters that were outside its remit. For instance, it submitted a lengthy report to the main Committee about a case of wrongful prosecution for drunkenness against an 80 year old man and against a publican for supplying him with drink when he was already intoxicated. Since the Chief Constable had been kept in the dark about the lack of evidence against the accused, the case had gone ahead.¹⁰⁹ The report revealed at least a lack of communication between different ranks and probably a difficult relationship between the officers who served in the division concerned.

¹⁰⁵ HO 144/167/A59737/9, Standing Joint Committee usurping powers of Chief Constable of Durham, memo, May 1902.

¹⁰⁶ D.R.O., CC/A10/1/2, S.J.C. Minutes, April 1897.

¹⁰⁷ D.R.O., CC/A10/1/2, S.J.C. Minutes, October 1898. There is no evidence of the circumstances which led to the Deputy Chief Constable's resignation.

¹⁰⁸ D.R.O., CC/A10/1/2, S.J.C. Minutes, April 1899.

¹⁰⁹ D.R.O., CC/A10/1/2, S.J.C. Minutes, July 1900.

The report stated that ‘the whole circumstances’ had brought to light ‘a most unfortunate laxity of discipline and a loose way of conducting prosecutions’ which could ‘only bring discredit on the force’. Furthermore, it had been noted that although Chief Constable Eden had ‘reprimanded’ the Superintendent who had been involved in the affair, the reprimand had not been entered in the punishment book. Criticism of the Chief Constable was openly expressed in the final sentence of the report: ‘The Sub-Committee cannot regard this method of dealing with the case as adequate in the interests of discipline and justice’.¹¹⁰ This case showed a disturbing level of interference on the part of the Police Regulations Committee in the day to day running of the force. All disciplinary matters should, in the first instance have been referred to the Chief Constable not to the SJC and the nature of the disciplinary action should have been left to his discretion. This series of actions by the SJC blatantly violated the 1839 County Police Act which had stipulated that a County Chief Constable was responsible for the management of his force

Conclusion

As was indicated in Chapter Five, the bedding down of the new system of local government resulted in misunderstanding of the roles and responsibilities of the SJCs and the county councils. This could lead to disagreements between the two bodies which sometimes impacted on the authority of the chief constables. For example, when Moorsom had reached a satisfactory arrangement with his SJC for the police inspections of weights and measures in Lancashire, the County Council were initially uncooperative about implementing the scheme. Moreover, although they were legally bound to meet the costs of borrowing the extra men to carry out the inspections, they had refused to do so until correspondence with the Home Office revealed that they had no alternative.

The differing policing needs of the four counties in the 1890s sometimes affected the level of control which SJCs exerted on their chief constables. For instance, in Lancashire, where increases in manpower and the reorganisation of police stationing were often associated with the creation of new borough forces and the extension of city boundaries, complex decision making was often left in the hands of the Chief Constable. In Cumberland and Westmorland, Dunne was also allowed

¹¹⁰ D.R.O., CC/A10/1/2, S.J.C. Minutes, July 1900.

considerable freedom of action. Having been in office since 1856, he was well known in both counties and regarded as a safe pair of hands. Furthermore, in a less populated region where industrial development with its concomitant problems of disorder was confined to fewer districts, he was able to keep police increases to a minimum, thus endearing himself to the two SJC's and the ratepayers. However, Dunne's initial proposals for pay increases were rejected by the SJC's of the two counties and it was only after a campaign of several months that his new figures were accepted. Even then, two Liberals on the Cumberland SJC had voted against the resolution. It was becoming clear that in Cumberland, as had been the case in Durham for some time, politicians were beginning to challenge the authority of the Chief Constable.

Nonetheless, it was in Durham that the interference by local politicians in the chief constable's management of the county police which was discussed in Chapter Five continued apace. At first this could be seen in the delaying tactics which were employed by Liberal members of the SJC when White and later Eden requested increases in the Durham police and pay rises. The effects of Storey's attempts to reduce the authority of the Chief Constable had started when he joined the County Council as an alderman in 1892. Then, as Chairman and leader of the Liberal faction on the SJC he instigated the documented attempts to discredit the Chief Constable in the late 1890s. Thus the early predictions of political involvement in Durham policing and particularly the possible detrimental effects of Samuel Storey's influence were being fulfilled. In the following chapter there will be evidence of further attacks on the Chief Constable's freedom of action.

Chapter 7 Direct Challenges to the Power of County Chief Constables

In the previous two chapters a varied picture has emerged of the situation of northern county chief constables, showing that the early Standing Joint Committees delegated much of the day-to-day governance of the police to their chief constables. However in Durham the Chief Constable had been subjected to increasing opposition from some members of the SJC and interference from the County Council. The distinguishing feature in the Durham SJC's treatment of the Chief Constable was the deliberately obstructive behaviour of the Radical Liberals within their ranks but so far the actual position of Chief Constables White and Eden had not been seriously threatened by their continuing hostility. Nevertheless, such an aggressive attitude on the part of an SJC which has not been documented elsewhere provides a different bearing on the relationship between county chief constables and their supervisors. The first part of this chapter introduces further evidence of how the influence of party political activity in the Durham SJC and elsewhere began to seriously undermine the position of certain county chief constables. It is clear that this unfolding situation was associated with the pace of change in the composition of some county councils and SJCs. Therefore it is important to reemphasise that the character of many of the first councils was very similar to that of the Quarter Sessions which preceded them in that they contained large numbers of magistrates. Moreover, it has been noted that there were idealistic efforts to exclude politics from county council business and to maintain a party balance in the appointments of the county council leaders. As a result, the influence of national politics was often slow to emerge in the new local government bodies. However, in Durham and Cumberland, where the presence of Radical Liberals was already a strong factor, the scene was set for them to make further attempts to promote their aims for county policing.

The next part of the chapter records final stage of the Durham Radicals' scheme to bring the county police entirely under their control when they attempted to deprive the Chief Constable of the right to manage his force without hindrance. It also represents the only occasion when the Home Office became heavily involved in an SJC's supervision of a county police force during the period under scrutiny. The concluding section deals with the dismissal of county chief constables. Home Office files record only one such case between 1839 and 1890, that of Chief Constable Valentine Hatton

of Nottinghamshire in 1852.¹ Although he was legally dismissed by a majority of 3 votes by Quarter Sessions, he seems to have been a victim of one of the few uneasy relationships between county magistrates and chief constables in the period before the 1856 Borough and County Police Act that were referred to in Chapter Three. It will be revealed here that in the final decade of the nineteenth century, circumstances led to office holders demonstrating considerable insecurity about their position.

Attacks on the Chief Constable of Cumberland and Westmorland

Although Chief Constable Dunne had encountered sporadic opposition from some Liberal members of the Cumberland SJC in the 1890s it was only at the turn of the century that this gained momentum. Initially, it stemmed from Dunne's ill-judged decision to support Claude Lowther, the Conservative candidate for North Cumberland on a public platform in the 1900 General Election. Admittedly his action drew criticism from both parties, but local Liberals used it as an opportunity to initiate an attack on his management of the police. An editorial in the local Liberal press stated that Dunne's 'conduct' had been 'freely criticised and condemned as being both illegal and prejudicial to the interests of the force under his authority'.² It maintained that 'no responsible person' except the 'Clerk of the Peace' had come to the defence of Dunne's action, but that the Cumberland SJC, which was 'mainly composed of Tory magistrates' had 'endeavoured to shirk the important issue that was raised'. When Liberal County Councillors had expressed strong feelings on the subject Humphrey Senhouse, Chairman of the SJC, sensing that the matter was not going to go away contacted the Home Secretary.³

The Home Secretary replied in no uncertain terms. He stated that the 1887 Police Disabilities Removal Act 'was only repealed so far as the disqualification to vote was concerned' i.e. it was still illegal for any constable to try and influence the outcome of an election.⁴ Therefore in the Home Secretary's opinion, Dunne's action had not only contravened the 1839 County Police Act

¹ HO 45/4057, Dismissal of Notts. Chief Constable, Correspondence, minutes, 1852

² *Carlisle Journal*, 19th April 1901, p. 4.

³ *Carlisle Journal*, 19th April 1901, p. 4.

⁴ Police Disabilities Removal Act, 1887 (50 and 51 Vic. c. 9) amended section 9 of the 1839 County Police Act in which county police had been disenfranchised from voting in parliamentary elections by granting that right to men whose status met the franchise qualification. The Police Disabilities Removal (Extension) Act, 1893 (56 Vic.) extended the right to municipal and other similar elections.

but had also been 'prejudicial to the interests of discipline'. Although he did not consider that it would be 'advisable' that 'proceedings [...] to recover the penalty fixed by the statute' should be taken, he thought that seriousness of his actions should be communicated to Dunne.⁵ It was resolved by the Cumberland SJC that the correspondence with the Home Office should be included in the minutes of their meeting.⁶ The tone of the comment on Dunne's action in the Home Office file itself was more forthright than was suggested in the reply to Senhouse. One official questioned how the Chief Constable could enforce the 'necessary rule that policemen should not take sides in politics when he himself infringed it in such an open manner'. Another stressed that it was 'essential to good government and to the interests of the police themselves that they should keep clear of party politics'. Furthermore, it was suggested that Dunne should be asked for an explanation of his conduct and then the Cumberland SJC should decide whether to take any further steps in the matter.⁷

At an SJC meeting William Dobson, a Liberal member of the SJC, prolonged the controversy by producing a letter from Howard Vincent. Vincent who had been partly responsible for framing the 1887 Act concurred with the view expressed by the Home Secretary, stating that the police were 'the servants of the public, and like generals, or soldiers, or civil servants, should abstain from identifying themselves publicly with any particular party'.⁸ In his defence, Dunne declared that 'everybody knew that at the last election very extraordinary attacks' by 'The pro-Boers, the revolutionists, the Anarchists, and the Socialists' had been mounted 'against nearly everybody who took the side of good government'. Apparently this comment had resulted in 'loud cries of "Order"' and Henry Howard, the Chairman of the County Council had reprimanded the Chief Constable for his outburst. Dunne responded that 'such attacks' had made it 'an exceptional election' and that he had been advised that he would be 'at liberty' to support Lowther. However, he was 'now sorry to find that it was wrong' and 'no one regretted more than he that he did take part in the election'.⁹ Local Liberals continued to castigate Dunne, accusing him of adopting 'an untenable position' by attempting 'to palliate his offence by attacking and traducing his political

⁵ *Manchester Guardian*, 18th April 1901, p. 12.

⁶ C.R.O., CC1/36/1, Cumberland S.J.C. Minutes 18th April 1901.

⁷ HO 45/9758/A62296, Police taking part in political elections, Minutes, December 1900.

⁸ *The Times*, 18th April 1901, P. 6.

⁹ *The Times*, 18th April 1901.

opponents'.¹⁰ On the other hand, the Tory press tried to tone down the seriousness of the charge against Dunne by maintaining that he had 'acted on a mistaken view of the law' by his 'professional adviser'.¹¹

Dunne must have realised that his speech in support of the Tories would arouse the ire not only of local Liberals but also of everyone who had become accustomed to the non involvement of the police in party politics. Furthermore, it is clear from the shocked reactions of the Home Office officials to the communication from Senhouse that they were dealing with a new and unacceptable situation. Therefore one can only speculate about Dunne's motives on this occasion. It could have been that he was disgruntled about the negative way in which his recent pay claim had been received and thinking that he had nothing to lose at this late stage in his career he was prepared for such a hostile reaction. Certainly he had nailed his political colours to the mast in his outburst at the Cumberland SJC meeting in April. In addition, his defence that he had accepted legal advice before making the speech rings hollow. Dunne was far too experienced not to be fully aware of the repercussions of his action. Significantly, this was the only instance of a chief constable being reprimanded for the offence.

In the few months before Dunne was due to retire he came under fire again from Liberals on the SJC, and this time it was for his ill-treatment of members of the county constabulary. In the first instance, James Flynn and Robert Tinniswood, condemned Dunne's punishment of Sergeant Hodgson of Whitehaven who had been demoted to the rank of constable for having failed to report that a prisoner had escaped from his custody. As a result Hodgson had lost £15 a year in pay and probably £200 from his future pension. Many people in Whitehaven thought that Hodgson had been too harshly dealt with and a petition was organised by 'a number of influential people' who memorialised the SJC to investigate the case.¹² After discussion at their meeting in October 1901 the SCJ had resolved that in spite of the Liberal protests they were unable to 'interfere with the discretion of the Chief Constable' in Hodgson's case, since Acts of Parliament which referred to

¹⁰ *Carlisle Journal*, 19th April 1901, p. 4.

¹¹ *Carlisle Patriot*, 19th April 1901, p. 4.

¹² *Carlisle Journal*, 17th January 1902, p. 4.

the powers of county chief constables stated that ‘the power of suspension, dismissal and reduction in rank’ was ‘absolutely in the hands of the Chief Constable’.¹³

Dunne had the reputation of being a strict, but fair disciplinarian and in the circumstances his demotion of Inspector Hodgson would seem to have been a proper course of action, as was the decision of the SJC to respect Dunne’s judgement in this case. In the *Carlisle Journal*, the Liberals continued to press Hodgson’s case for fair treatment and a press report in January stated that his retirement had been announced. Although there is no information about the decision on the amount of his pension, the Home Office in response to an enquiry had stated that it should be calculated on the pay that he was receiving at the time of retirement and not on his previous pay scale.¹⁴ The fact that feelings in Whitehaven were running high about what was considered to be Dunne’s treatment of Hodgson may have encouraged Tinniswood and Flynn to bring further charges of unfairness against the Chief Constable at the January SJC meeting. Flynn stated that he continually heard constables complain about the way in which they had been treated and Tinniswood added that there were other cases in which ‘the reduction and dismissal of officers [...] required investigation’.¹⁵ He advocated that there should be some kind of inquiry ‘before the SJC or an independent tribunal, in which the Chief Constable would not occupy the position of both defendant and judge’.¹⁶

Dunne had written to the SJC Chairman soon after Tinniswood and Flynn had brought up the matter in October, suggesting that HMIC Croft ought to be involved. He felt that their ‘insinuations’ were an attack on his ‘personal honour and integrity’ and they were ‘calculated to injure the efficiency and discipline’ of the police. He thought that ‘everything possible should be done to get the particulars of misconduct insinuated’. Thus, when two requests for details of the complaints from Dunne’s solicitor had failed to elicit any information, he considered that it was only ‘fair and reasonable that the two members of the standing joint committee’ should send the

¹³ *Carlisle Journal*, 17th January 1902, p. 4.

¹⁴ *Carlisle Journal*, 17th January 1902, p. 4.

See also *Justice of the Peace*, 19th August 1893, p. 526 where a similar case had been raised. In this instance an Inspector had been demoted to ‘the lowest grade of Constable within eight months of his retirement’ and legal opinion had stated that his pension ‘had to be calculated in accordance with his annual pay at the time of his retirement’.

¹⁵ *Carlisle Journal*, 17th January 1902, p. 4.

¹⁶ *Carlisle Journal*, 17th January 1902, p. 4.

‘particulars’ to Croft so that they could be ‘thoroughly investigated’.¹⁷ In support of his client, Dunne’s solicitor forwarded to the press the letters that he had written to Tinniswood and Flynn on his behalf. He had been prepared to support Dunne because he had seen ‘that insinuations of improper conduct had been made that were impossible of proof in a court of law’.¹⁸

The Conservative Press interpreted Dunne’s attempts to unearth the particulars of the complaints against him sympathetically, claiming that although it could be ‘sometimes inconvenient’ to ‘divulge’ the sources of public accusations, it was wrong to make ‘vague charges’ which could not be substantiated. Furthermore, it was not surprising that attempts would be made to get to the bottom of the matter – ‘unfortunately without result’ in this case.¹⁹ In support of Dunne’s method of dealing with any dissatisfaction in the police it stated that Dunne had ‘judicially’ inquired into ‘1041 complaints’ since he had been appointed to the post of Chief Constable. It was not ‘his habit to dismiss such matters with offhand arbitrariness’ and it was an area of his work unobserved by the general public. Observations on the affair continued with similar laudatory comments about Dunne’s management of the constabulary. For example, the report commented that although he could have ignored the charges against him [...] he valued the ‘public service’ which the police fulfilled too highly to do so.²⁰ In contrast to this standpoint, the Liberal press considered that the procedure for complaint whereby police officers could bring their grievance either to their superintendent or to the Government Inspector at the annual inspection was ‘no appeal at all’. Furthermore, it highlighted the anomaly that had allowed no method of appeal in the case of Hodgson but provided the opportunity for Tinniswood and Flynn to take their complaints before HMIC Croft. In answer to Dunne’s claim that the repeated ‘certificates of efficiency’ demonstrated the good government of the police, it pointed out that ‘one unfavourable report would have secured the appointment of a more competent chief constable’ which would have prevented any future loss of the Government grant. Furthermore, although a police force could be regarded as ‘efficient as a whole’, its ‘methods of management’ might be unacceptable ‘to the ratepayers’.²¹

¹⁷ *Carlisle Journal*, 17th January 1902, p. 4.

¹⁸ *Carlisle Journal*, 24th January 1902, p. 5.

¹⁹ *Carlisle Patriot*, 17th January 1902, p. 4.

²⁰ *Carlisle Patriot*, 17th January 1902, p. 4.

²¹ *Carlisle Journal*, 17th January 1902, p. 4.

During the SJC meeting in January, Tinniswood and Flynn backed down. They moved and seconded an amendment that the section of Dunne's report that referred to them should be removed, since 'their action might be misconstrued'. They claimed that that 'neither of them had made or had intended to make any imputation' on Dunne's conduct at the October meeting of the Committee.²² However, Flynn insisted that their remarks had been 'an echo of public opinion' and he considered that it was wrong of Dunne to 'attack' them through his solicitor when they had been 'acting in what they believed to be the public interest [...] in the proper place and manner'. He had replied to Dunne's letter, giving reasons for refusing to reveal the names of his informants. He said that 'he knew what the "screw" was; he had felt it more than once'.²³ Howard felt that they should not have made the accusations 'unless they had been prepared to substantiate them' and William Watson wondered 'whether the insinuations had originated at street corners or some petty political club'. After the defeat of Tinniswood and Flynn's amendment to have the section removed from Dunne's report had been lost by eight votes to six, Flynn announced that he was contemplating further action on the matter.²⁴

At the February County Council meeting, Flynn again tried to get the offending reference to himself and Tinniswood deleted, stating that he was 'a timid, bashful individual, and did not want his name handed down to the rising generation as an obstructionist'.²⁵ Amusement was caused by this comment because he was far from 'bashful'. In 1900 Flynn had been elected the leader of 2860 iron-miners from the Cleator, Egremont and Frizington areas and in 1901 he formed the National Iron Ore Miners' Association. He helped 'to make the image of trade unionism [...] respectable in county administrative circles'. In 1904, he was elected, unopposed, to Cumberland County Council as one of four successful Labour candidates. On this occasion, his motion was rejected when Senhouse said that although 'the County Council could delete what they liked' from the minutes such an action would incur additional expense because the SJC would have to publish their own minutes separately.²⁶ The Conservative press accused Tinniswood and Flynn of 'obtuseness [...] a misconception of their relative positions and effrontery' in attempting to get the paragraphs in the

²² *Carlisle Journal*, 24th January 1902, p. 4.

²³ *The Scotsman*, 23rd January 1902, p. 6.

²⁴ *Scotsman*, 23rd February 1902, p. 6.

²⁵ C.R.O., Cumberland County Council Minutes, February 1902.

²⁶ *Carlisle Journal*, 7th February 1902, p. 6.

minutes deleted on the grounds that 'they were extraneous to the business and a breach of the privilege of members'.²⁷

It was always unlikely that the accusations against Dunne of mistreating members of the force would result in any action by the SJC. As they had recognised, Dunne was entitled to decide on Hodgson's fate and officers in other forces were frequently demoted for lesser offences. Flynn's and Tinniswood's vague insinuations about Dunne's treatment of unnamed officers were never substantiated and it is difficult to ascertain what they were hoping to achieve by their accusations. Why did they back down? Perhaps the letters from Dunne's solicitor had the desired effect in persuading them that their evidence was not strong enough to stand up to scrutiny. Moreover, they would have known that Dunne had something of a reputation for threatening legal action, if his reputation was besmirched.²⁸ Alternatively, it is possible that the police who had complained of Dunne's mismanagement were not prepared to act as witnesses if their cases were taken up by the SJC for fear of losing their jobs. The fact that Dunne and his solicitor wanted to involve HMIC is interesting, since it appears that the SJC would not have pursued the matter anyway. Perhaps Dunne felt that he did not have the total support of the Committee following his *faux pas* two years previously. That incident had been widely reported in the press – probably much to the chagrin of the SJC. In contrast the outcome of the contemporary situation in Durham (which was outlined in the preceding chapter) for the Chief Constable, had been very different. In those cases the SJC had interfered in his management of the police and actually attempted to deprive the Chief Constable of some autonomy.

The Standing Joint Committee's attempts to control the Chief Constable of Durham

The culmination of the Liberal attempts to undermine the Chief Constable of Durham came in 1902 when Colonel Eden resigned, to take up his appointment as Her Majesty's Inspector of Constabulary for the Northern District. At a special meeting which was held to consider the arrangements for replacing him there was an early sign that Liberal members of the SJC would try to dominate the proceedings, when two of them, William House and John Errington proposed and

²⁷ *Carlisle Patriot*, 24th January 1902, p. 4.

²⁸ APPENDIX THREE, p. 272.

seconded that one of the officers of the County Constabulary should be appointed to the post.²⁹

This seems to have been an attempt to appoint an officer without the status that was usually associated with the rank of county chief constable, somebody who would be more malleable in the hands of the Committee. Furthermore the appointment of someone from a less privileged background would represent a clean break with the past, when chief constables had often enjoyed a cosy social relationship with the magistrates on the SJC. The resolution was defeated, presumably because the majority felt that it was important for the incoming Chief Constable to have had the experience of managing a police force. The appointment was to be made at a Special Meeting of the Committee on 14th April and the successful candidate was to take up the post on 1st May. In the meantime the Deputy Chief Constable would be in charge of the force.³⁰

Hints of what was to follow can be seen in a speech made by Samuel Storey on his re-election as Chairman of Durham County Council and soon after Eden's resignation. His frustration about the Government's refusal to change the system for the control of county policing, in spite of the widespread lobbying that had taken place since 1889, caused him to state that 'he never was chairman of a public body in his life where he felt himself so much a nobody as chairman of the Standing Joint Committee'.³¹ He thought that that the SJC should announce the vacancy to the County Council, 'instead of proceeding hastily to the appointment', so that they could express their views. Alleging that the disciplining of subordinate officers had been 'too lax', Storey stressed that it was important for the Committee 'to assume more direct control' of the police. He suggested that one way of achieving this was for the new Chief Constable to visit every police division each month without notice, and to report on his visits. He considered that the increased supervision would result in fewer policemen failing to submit evidence in court when the case against an offender might be lost and they would get into 'discredit'. He hoped that 'such regulations' to improve the situation would put in place before the new appointment was made.³²

By expressing such opinions, Storey was stepping out of line. Although it is impossible to discover how often a county council had been consulted about the appointment of a new chief constable, it is

²⁹ D.R.O., CC/A10/1/2, S.J.C. Minutes, February 1892.

³⁰ D.R.O., CC/A10/1/2, S.J.C. Minutes, February 1892.

³¹ HO 45/A59737/17, unattributed newspaper cutting.

³² HO 45/A59737/17, unattributed newspaper cutting.

unlikely that they would ever have been asked to 'express their views'. The SJC was statutorily obliged to make the appointment in the manner which was described in Chapter One.³³ In the preceding decade, SJCs had been totally responsible for the appointment of numerous chief constables. If their appointment had been transferred to a county council, it would have become an unwieldy procedure necessitating the appointment of a sub-committee – in effect, another SJC and the process would have been no more democratic than the previous one. As he admitted, Storey envisaged his scheme for chief constables to make monthly visits to police divisions as a way in which the SJC could exert more 'direct control' over the police, in the same way that the Committee had done during Eden's period of office.

At the Special Meeting on 14th April when the appointment of the new Chief Constable was due to be made, a resolution was passed that it should be 'adjourned until after the annual meeting of the County Council and that no further steps should be taken in the meantime'.³⁴ The reason for this decision was not stated. However, since the motion was proposed and seconded by two Liberal Aldermen the likelihood is that this delay was associated with Storey's stated aims for establishing a stricter oversight of the police. Although the County Council with its Liberal majority could play no direct part in the appointment of the new chief constable, it would have been to Storey's advantage if the councillors elected to the new SJC were in sympathy with his point of view.³⁵

A letter in which Storey, as Chairman of the Standing Joint Committee, asked the Home Office if there was anything in the Police Acts to prevent a Chief Constable being appointed 'for a definite term of years only' adds another interesting perspective to the affair. Since there is no reference in the Standing Joint Committee Minutes to any discussion on such a matter, it appears that Storey was independently exploring one of the ways in which the Committee could exert control over a future chief constable.³⁶ The Home Office view expressed in an internal memo was that such an 'innovation' could prove 'very dangerous' and that the wording of the 1839 Act, 'every Chief Constable may hold his office until dismissed by the Justices' implied a 'permanent appointment'. It was thought that the corollary of a temporary appointment would be the 'entire subjection of the

³³ See Chapter One, pp. 11-12.

³⁴ D.R.O., CC/A10/1/2, S.J.C. Minutes, April 1892.

³⁵ D.R.O., CC/A10/1/3, S.J.C. Minutes, April 1902.

³⁶ HO 45/A59737/9, Correspondence, 5th May 1902.

Chief Constable to the Standing Joint Committee' and 'most detrimental to the discipline and good management of a County Police Force'.³⁷ No reply to the query has survived, but the advice in the memo suggests that it would have prohibited a fixed term appointment on the grounds that such a move would be contrary to the terms of the 1839 Police Act.

A County Council resolution which was read to the Committee at its July meeting informed the Committee that the County Council had recommended that a 'trained policeman' should be appointed as Chief Constable'. When Storey proposed that the Committee should adopt this policy, Wharton and Lord Barnard, representing the Tories moved and seconded an amendment that the Committee 'should proceed to consider the current list of applications'. However, this was defeated by twelve votes to ten and Storey's proposal was accepted.³⁸ Storey's preliminary machinations with Liberal members of the County Council and the SJC to achieve this result can be imagined. In the same meeting, two letters, one from Colonel Eden (in his role as H. M. Inspector) and the other from the Home Secretary were read to the Committee. In each, concern was expressed about the delay in appointing a new chief constable and Eden drew attention to the County Police Act 1839, 2 & 3 Vic. c. 93, s. 7 which stipulated that 'no Deputy Chief Constable' should 'be capable of acting as Chief Constable for more than three months'.³⁹ In a reply to Eden it had been pointed out that Superintendent Webster was not acting as 'Deputy', but as 'Acting' Chief Constable. The Committee decided to re-advertise the post, specifying the new requirement for applicants to be police officers and to consider the new applications on 23rd September.⁴⁰

In their report, the Police Regulations Sub-Committee presented for approval four new regulations that they had formulated at their recent meeting. Two of the regulations were clearly designed to subject the future Chief Constable to further restraint. The first which Storey had advocated several months previously, directed the Chief Constable to produce quarterly reports of monthly visits that

³⁷ HO 45/A59737/9, memo, 5th May 1902.

³⁸ D.R.O., CC/A10/1/3, S.J.C. Minutes, July 1902. See also HO 45/A59737/17 for an account of the presentation of the resolution in the County Council Meeting. It was proposed and seconded by Councillor Errington and Alderman House, who were Liberal members of the Standing Joint Committee. Their main argument in favour of the resolution was that it would aid the retention of 'capable young fellows', who would see that they could 'reach to the highest position'. In addition, criticism of previous incumbents was expressed by House in his comment that 'Hitherto they had had men who had come prepared to accept the salary, and the work was done by others'. The resolution was adopted by a majority of twelve votes.

³⁹ County Police Act, 1939

⁴⁰ D.R.O., CC/A10/1/3, S.J.C. Minutes, July 1902.

he had made to every division. The other stated that 'all appointments and removals of Sergeants, Inspectors and Superintendents should be submitted to the Standing Joint Committee before being actually made'.⁴¹ After the Tories, Wharton and Barnard had tried and failed to postpone discussion of the regulations until after the appointment of the new Chief Constable, the Report was adopted.⁴²

Storey had a clear agenda for achieving his aim and much of it was successful. Timing was all important. He had delayed the appointment of the Chief Constable until a more sympathetic SJC was in office and then had used the requirement for candidates to be trained policemen to delay the appointment even further until the rules for the control of the new chief constable were in place.

The only hitch so far came when he was told firmly by the Home Office that a temporary appointment was unacceptable. Although it was possible to discover the political allegiance of most of the SJC in 1892, the lack of information about two or three people precluded hard and fast conclusions about voting patterns. The parties on the SJC appear to have been balanced, or almost balanced, since most of the resolutions were passed or rejected by only one or two votes. However, an outcome could have been decided by the absence of one Committee member or by one person who did not follow the party line on a particular point. Certainly all the SJC's resolutions during this period seem to have gone Storey's way.

Officials at the Home Office were understandably perturbed when the news of these developments was communicated to them by an informant whose identity was not revealed at this stage. A communication informed the Durham SJC that their 'proposed course of action' was 'irregular' and that in the opinion of the Home Secretary's opinion it 'would make the police inefficient'. The Home Office also requested 'evidence' from the SJC of the passing of the resolutions in 'a more quotable form' and officials agreed that Eden (in his role as HMIC), should be asked to send copies of any press reports of the meetings held on 17th and 22nd July, if they were available.⁴³ As arranged, a Special Meeting of the Durham Standing Joint Committee was held on 23rd September to consider the second round of applications which were all from trained policemen who could be

⁴¹ D.R.O., CC/A10/1/3, S.J.C. Minutes, July 1902.

⁴² D.R.O., CC/A10/1/3, S.J.C. Minutes, July 1902.

⁴³ HO 45/A59737/9, Correspondence, 17th August 1902.

internal or external candidates. There were 54 applicants and five were shortlisted. It was decided to interview the candidates and make the appointment on 28th October.⁴⁴

In October Durham SJC was again in communication with the Home Office. This time they defended the Committee's second regulation which stipulated that appointments by the Chief Constable had to be approved by the Committee before they were actually made. The SJC referred to a letter from the Home Office to Anglesey County Council dated 15th July 1889 which had stated that the 1888 Local Government Act had transferred 'the powers of Justices to approve the appointment of constables by the Chief Constable to the Joint Committee, whose approval accordingly must be obtained for the appointment'.⁴⁵ The Durham Committee had considered this judgement as justification for the framing of their regulation. However, it appears that the Home Office had backtracked on the advice that had been issued to Anglesea in 1889, as in a subsequent letter of 13th October Durham SJC were informed that the ruling had been reversed. The new ruling stated that neither the Standing Joint Committee, nor any member of it could approve the appointment of Constables – the approval required by the 1839 Act being still a matter for the justices in petty sessions.⁴⁶

Misunderstanding about the situation pertaining to the appointment of police officers reoccurred over a number of years. As late as 1905 a Home Office file reveals that the authority of a chief constable to have the sole responsibility for appointing officers was challenged by some members of Breconshire SJC. H. Edgar Thomas, the Clerk reported that some members thought that they had 'a power of veto' in the case of the appointments of superintendents.⁴⁷ They contended that their view was supported by the concluding words of Section 6 of the 1839 Act which ruled that the Chief Constable should have 'the general Disposition and Government of all the Constables' that he had appointed, 'subject to such lawful Orders' as might be received 'from the Justices in General or Quarter Sessions assembled, or at any adjournment thereof, and to the Rules established for the government of the Force'. Edgar's opinion was that these concluding words did not

⁴⁴ D.R.O., CC/A10/1/3, S. J. C. Minutes, September 1902.

⁴⁵ HO 45/167/A59737/18, Correspondence, 13th October 1902.

⁴⁶ HO 45/167/A59737/18, Correspondence, 15th October 1902.

⁴⁷ HO 45/10311/123557, Appointment of Superintendents by Chief Constable, Correspondence, 16th February 1905.

‘govern’ the whole of the Section 6, but only the latter part of it i.e. they referred to the jurisdiction of the SJC, as the successors of the Quarter Sessions in matters of ‘Disposition’ and ‘Government’ but not in the ‘case of appointments’. Edgar considered that any attempt to reduce ‘the powers of the Chief Constable’ by asserting this ‘right of veto by the SJC’ in his appointment of Superintendents ‘would be derogatory to his authority and injuriously affect the discipline and efficiency of the Police Force’.⁴⁸ It comes as no surprise that Home Office officials agreed with Edgar’s interpretation.⁴⁹

The Home Office consulted Eden about the procedures that had been used for the appointment of Durham constables. He replied that his ‘understanding’ was that they had followed the revised ruling of the Law Officers i.e. that the appointments made by the Chief Constable had been approved by the Justices in Petty Sessions when the new constables had been sworn in. Thereafter the Standing Joint Committee had merely been informed about the new recruits in the Chief Constable’s report, although the other appointments and promotions did have to be approved by the Committee. Eden also volunteered to find out about the procedures in the other northern counties.⁵⁰ Three days later, he was able to report that with the exception of North Riding all the other northern SJCs had appointed their constables in the same fashion and he was of the opinion that most other counties did. In the North Riding the approval of the Standing Joint Committee was required in addition to that of the Justices.⁵¹ In the Home Office file which contains their correspondence with Eden on this matter no reaction was recorded to his revelation that the North Riding SJC was following a procedure which had been ruled illegal in 1889. Perhaps their thinking was something along the lines of ‘Let sleeping dogs lie’. There had obviously been quite a lot of argument amongst Home Office staff when the subject was raised in 1889 before they concluded that since there was no clause in the 1888 Local Government Act which changed the rules governing the appointment of police officers the only requirement for the appointment was still the approval of two justices. Thirteen years later there appears to have been no evidence that the Chief Constable of the North Riding or anyone else had complained about the approval of the SJC also

⁴⁸ HO 45/10311/123557, Correspondence, 16th February 1905.

⁴⁹ HO 45/10311/123557, Correspondence, 23rd February 1905.

⁵⁰ HO 45/167/A59737/18, Correspondence, 20th October 1902.

⁵¹ HO 45/167/A59737/19, Correspondence, 23rd October 1902.

being necessary. Therefore although it was important to draw attention to any action by the Durham SJC which might deprive their Chief Constable of his authority, the same misdemeanour by another SJC could be ignored.

In the meantime, the Durham Standing Joint Committee was eager to discover before their forthcoming meeting, when the appointment of the new Chief Constable was finally due to be made, whether the Law Officers' opinion had related to 'promotions within the police force as well as to the original appointment of constables'.⁵² The Home Office replied promptly, stating that the judgement had pertained only to the appointment of constables.⁵³

At the beginning of the October meeting members of the Durham SJC heard about the Home Secretary's adverse reaction to their new regulations which they had approved in July. He had been 'doubtful' whether the new resolutions could have 'validity'. He could foresee practical difficulties associated with the Chief Constable having to visit the 16 police divisions and problems associated with the approval of appointments and dismissals when the Standing Joint Committee only met once a quarter. Furthermore, the Committee, by adopting the Sub-Committee's recommendations 'during the vacancy in the office of Chief Constable', seemed to the Home Secretary 'to have in some measure derogated from the authority properly belonging to that office'.⁵⁴ This was a strange reaction from the Home Secretary. He did question whether the regulations could have legal status and hinted that there might have been some irregularity in drawing up rules for a chief constable when there was no chief constable in office. However, he seemed to be more preoccupied with the problems for the chief constable in making such a large number of visits to police divisions and in getting approval from an SJC which met only quarterly. The muddled presentation here suggests that the Home Office's lawyers were unsure about the powers of the SJC which was not entirely unexpected after they had changed their mind about the Anglesey situation.

At the same meeting, William Morant whose previous position was Chief Constable of South Shields, was appointed as the next County Chief Constable of Durham.⁵⁵ The news of the

⁵² HO 45/167/A59737/19, Correspondence, 20th October 1902.

⁵³ HO 45/167/A59737/19, Correspondence, 22nd October 1902.

⁵⁴ D.R.O., CC/A10/1/3, S. J. C. Minutes, October 1902.

⁵⁵ D.R.O., CC/A10/1/3, S. J. C. Minutes, October 1902.

appointment of a new Chief Constable was obviously not enough to satisfy the Home Office. A few days later a letter was sent to Durham requesting the response of the Committee to the Home Secretary's comments on the regulations which appeared to him 'seriously to prejudice the independent position which properly belonged to the Chief Constable of a county'. As it stood, he 'would clearly not be justified in approving' the appointment. Nor would he be able to certify the 'efficiency' of the County force while it remained 'without a Chief Officer'.⁵⁶

In addition to the previously mentioned Home Office sources which shed light on the Standing Joint Committee's attempts to control the Chief Constable, there were other memoranda which show that the threatened authority of County Chief Constables was a matter of considerable concern to officials. One summarised the development of the problems in Durham and revealed that the person who had divulged the acceptance of the new regulations to the Home Office was Colonel Gregson, a Conservative magistrate.⁵⁷ It was reported that in his communication with the Home Office Gregson had also claimed that 'Police Officers had been interfered with in the proper discharge of their duties by a County Council member of the S.J.C. to such an extent as to render them inefficient'.⁵⁸ In addition, the acceptance of the regulations by the Committee had proved to be the final straw for the Home Office and 'could not be passed over' by the Home Secretary.⁵⁹ Gregson deliberately chose the word 'inefficient' to convey the severity of what was happening in Durham. He clearly hoped to persuade the Home Office to take some action by suggesting that the attempts to weaken the position of the Chief Constable could seriously impact on the force itself.

In another Home Office document, various opinions relating to the statutory powers of county chief constables since 1888 were rehearsed, in particular, their powers of dismissal. As in the case of appointments there had been ongoing confusion in the Home Office about whether a chief constable could dismiss police officers without reference to his SJC. For example, when Cheshire SJC had contacted the Home Office in 1892 to ask whether a chief constable's decision to dismiss was 'absolute', they had been told that in these matters 'the opinion of the Secretary of State had no

⁵⁶ HO 45/167/A59737/21, Correspondence, 30th October 1902.

⁵⁷ The two communications from Gregson which are missing from the file were referenced as A59737/13 and A59737/16.

⁵⁸ HO 45/167/A59737/25, Memorandum, 25th October 1902.

⁵⁹ HO 45/167/A59737/25, Memorandum, 25th October 1902.

binding validity'. However, as in the case of police appointments officials had considered that it would be 'injurious to discipline' if the SJC were to make a rule which would 'practically' divest a chief constable of the power which he had been given in the 1839 County Police Act.⁶⁰

Home Office civil servants agreed that a majority in Parliament had wanted chief constables to 'be the authority to dismiss constables'. However, they concluded that it was 'not so clear' that it meant that the SJC should exercise no control over him in the matter. Therefore, in the present circumstances it was important that the Home Secretary 'should be very careful to refrain from expressing any view' which could be construed as implying that an SJC had 'no power of control'.⁶¹ Following the review of the background to the Durham situation their consensus was that the approval of the new Durham Chief Constable should not be 'conditional on the withdrawal of the resolution' about the new regulations. Nevertheless the Home Secretary should stress that he was 'anxious to have from them at the earliest opportunity a reply to his letter of the 8th October', in which he had questioned the practicality and validity of the resolutions that had been accepted by the Durham SJC.⁶²

The timing of the confirmation of Morant's appointment by the Home Office is unclear. However, the Certificate of Efficiency which was being withheld until the Home Office was satisfied about the wording of the new regulations had not been received by the time of the January meeting, when the Committee proceeded to re-examine them.⁶³ Morant who had obviously been consulted about the regulation which stipulated that he should visit each police division every month had said that he would prefer not to have 'a hard and fast rule' about carrying out so many visits, although he 'recognised the desirability of doing so'. A resolution was passed which substituted the words 'whenever practicable' for 'at least once in every month'. In a second resolution the wording of the other regulation in dispute was altered. Instead of all 'appointments' and 'removals' having to be 'submitted to the S.J.C. before being actually made', they were merely to be 'reported' to them.

⁶⁰ *Liverpool Mercury*, 18th April 1892, p. 6.

⁶¹ HO 45/167/A59737/25, Minute, November 1902.

⁶² HO 45/167/A59737/25, Minute, November 1902..

⁶³ D.R.O., CC/A10/1/3, S. J. C. Minutes January 1903.

Presumably, since the minutes of the April SJC meeting recorded the arrival of the Certificate of Efficiency, these concessions had satisfied the Home Office.⁶⁴ There had been compromise on both sides. The SJC had realised that the Home Office was not going to assess the Durham force as 'efficient' and thus sanction the subvention, unless the original wording of their rules was amended. However, the Home Office had acquiesced in a system where guidelines (albeit much less demanding than the original requirements) for the Chief Constable's management were set. In so doing, they were condoning some limitation of the Chief Constable's freedom of action. This episode in Durham highlighted that if the autonomy which had been conferred on county chief constables in 1839 was threatened the Home Office would intervene, although Government policy was generally one of non-intervention in the supervision of county policing. The small victory that Storey and his allies had gained was illustrated by the statement of appointments, promotions and removals which was included in Morant's first report to the SJC in April 1904.⁶⁵ Morant had been appointed to the post well before the SJC had amended the rules which would have curtailed his independence and it is intriguing to speculate whether someone (possibly HMIC Eden) had reassured him before he took the post that the Home Office would never accept the SJC's original rules.

After Durham SJC had failed to exert strict control over the chief constable in 1903 there were no further attempts over the next few years to deprive the Chief Constable of his powers. When he argued that a 'substantial augmentation' to the force was necessary in July 1903, only a few months after an earlier increase, he was met with a favourable response. The Sub-Committee's proposal in early 1904 for the recruitment of 30 men was based on Morant's statistics which showed 'the average population to each constable in the county' in comparison with the situation in 14 other counties and the Durham boroughs. It was also recommended that the situation should be reconsidered in the January of the following three years, with the possibility of adding 10 more men to the force annually. Admittedly, two SJC members did move that the proposed increase should be reconsidered by the Sub-Committee but their amendment was defeated.⁶⁶

⁶⁴ D.R.O., CC/A10/1/3, SJC Minutes, April 1903

⁶⁵ D.R.O., CC/A10/1/3, SJC Minutes April 1904.

⁶⁶ D.R.O., CC/A10/1/3, SJC Minutes, January 1904.

Dismissal of County Chief Constables

There are few recorded dismissals of County Chief Constables in the 1890s. That of Chief Constable Kinchant by Wawickshire SJC in 1893 was hardly unexpected, since he had fled to India to avoid an action for bankruptcy, although even in his case the Magistrates on the SJC had voted against the resolution to dismiss him.⁶⁷ In 1896, the Chief Constable of Radnorshire was dismissed but later reinstated.⁶⁸ However, the widely publicised dismissal of Major Bassett Lewis from his position as Chief Constable in 1890 by Cardiganshire SJC was permanent. Even so, the action of the Committee has to be considered in its context. In Welsh counties, where the payment and collection of tithes provoked huge controversy, magistrates had ordered chief constables to protect the bailiffs whose responsibility it was to execute tithe distrains. This procedure was complicated by the fact that in so doing the chief constables could be acting in opposition to some SJC's where 'Radicals, in sympathy with the agitation' dominated.⁶⁹ Lewis's problem appears to have been that he chose to carry out the magistrates' order over zealously, thus alienating the majority of his SJC. Certainly one newspaper report gave this impression, describing him as 'a military martinet who thought he could manage the county councillors as he had managed the Quarter Sessions.' It added that since he 'had refused to obey the Standing Joint Committee' he was 'promptly sent packing'.⁷⁰ Lewis had been treated very differently by his SJC from the way in which chief constables who were responsible for the control of industrial order (documented in chapter five) had fared. Whereas they had been given the authority by their SJC's to take the necessary actions to maintain or restore law and order, Lewis had been directed by his SJC to minimise the protection that his force gave to the tithe collectors.

The dismissal aroused such a furore that Matthews, the Tory Home Secretary was asked in the Commons if he was aware that Lewis had been dismissed 'by the casting vote' of the Chairman of the SJC and despite Quarter Sessions protests, without any reason being given. Furthermore, was such an action 'subject to confirmation' by the Home Office and what steps were to be taken to have a proper inquiry? In reply, Matthews, stated that 'certain legal questions' about the action of

⁶⁷ *Birmingham Daily Post*, 10th October 1893, p. 6.

⁶⁸ *Western Mail*, 8th January 1897, p. 6.

⁶⁹ *The Times*, 25th September 1890, p. 14.

⁷⁰ *Liverpool Mercury*, 28th October 1891, p. 5.

the SJC were being investigated.⁷¹ Considering that he intervened when Durham SJC had attempted to restrict the authority of their Chief Constable, it might seem strange that he refused to get involved when a Chief Constable was actually dismissed by his SJC. However, the two situations were very different. Because Lewis had been dismissed against the backdrop of the prolonged disagreement about the Welsh tithe system, it would have been extremely difficult for the Home Secretary to intervene in such an inflamed situation, where he might have been seen to be taking sides. A month or two later, John James, Chairman of Cardiganshire SJC challenged the Home Secretary's authority to hold the inquiry which had been set up by HMIC Elgee. He also refused to give the reasons for the dismissal which, he said were 'well known to the Home Secretary'.⁷² Another member of the Committee said that they could not work 'harmoniously' with the Chief Constable and that he had refused to obey orders, although he did concede that Lewis had worked 'to the entire satisfaction of the county' for the previous 13. Lewis contended that he was ready to obey orders but that he had 'certain powers that he could use at his own discretion'. When questioned about 'enmity' between members of the Committee and himself, he replied that he had been forced to use the constabulary to 'protect distrains for tithes' against two members of the SJC. He added that he had faced 'insults' at every meeting.⁷³

The contents of the inquiry report have not survived, but Elgee stated that it was 'very hard' that Lewis had been dismissed 'without assigning cause and giving him an opportunity to explain or defend himself'.⁷⁴ There was strong support for the decision of the SJC at Cardiganshire County Council's May meeting. On that occasion a resolution which regretted that Lewis had not paid the 'same respectful and obedient attention' to the County Council as he had to the Quarter Sessions was adopted by a large majority.⁷⁵ Just as the Home Secretary's hands had been tied as far as Lewis's dismissal was concerned, he was similarly powerless to insist that Welsh SJCs should instruct their chief constables to provide adequate protection for bailiffs. In the Commons Stuart Wortley attacked his 'want of action' He added that Lewis's replacement was aware that if he sent more police to trouble spots than the SJC had sanctioned, his 'situation would not be worth a day's

⁷¹ HC, Deb 7 March 1890, vol. 342, cols 250-251.

⁷² *Liverpool Mercury*, 5th April 1890, p. 2.

⁷³ *Liverpool Mercury*, 5th April 1890, p. 2.

⁷⁴ *Liverpool Mercury*, 5th April 1890, p. 2.

⁷⁵ *Western Mail*, 9th May 1890, p. 3.

purchase'.⁷⁶ Asquith, the Liberal Home Secretary showed his frustration. Having in vain advised the Committees to send sufficient men to deal with disruption he asked 'what more' he could have done bearing in mind that the Chief Constable had to obey the orders of the SJC.⁷⁷ Other Welsh Chief Constables also encountered opposition from their SJCs. For example, several months after Lewis's dismissal, Thomas Leadbetter, the Chief Constable of Denbighshire was taken to task by the Liberals on the Committee for importing troops to protect bailiffs. Despite the insistence from several sources that the presence of the soldiers was absolutely imperative they challenged the reliability of the informants and Mr Gee expressed regret that 'so much power' rested 'in the hands of the Chief Constable'.⁷⁸

Conclusion

The significance of the attempts by Storey and the Radicals on the Durham SJC to lay down rules for the conduct of future chief constables cannot be over-estimated, since there is no comparable situation in the period under investigation. As was previously stated they considered the appointment of a new chief constable to be a significant step in their progress towards removing control of the police to the democratically elected County Council. However, more immediately they saw an opportunity to give the SJC the same powers over the county police as the watch committees possessed in the boroughs. Furthermore, Storey probably regarded it as a way to gain personal influence in his dealings with the police. In the 1890s, he had been manhandled by the two Superintendents at Silksworth, and he had lost most of his legal actions against the police. In addition he had faced mockery in the Commons and had felt a 'nobody' on the SJC. There were repeated efforts by the Liberals to delay the appointment of a chief constable until the regulations for his future conduct were in place. It is clear that the Tories on the Committee who opposed the changes were keen to get the appointment made as quickly as possible. However, the amendments

⁷⁶ Lewis's replacement, David Evans had been a sergeant in the Cardiganshire force. See HO 45/10414/111077, Chief Constablenesship of Cardiganshire, for details of how the Home Secretary withheld his approval when Cardiganshire SJC had attempted to appoint a local sergeant to the post of Chief Constable in 1903. He commented that the candidate would have been 'a mere tool in the hands of the clique whose nominee he was'. When Samuel Storey had thought that another way of controlling a chief constable might be to appoint him on a fixed term contract, someone in the Home Office had remarked that such a system could have been 'followed and improved upon in the Welsh counties' to good effect

⁷⁷ HC, Deb 1 June 1893, vol. 12, cols. 1736-8.

⁷⁸ *Liverpool Mercury*, 23rd October 1890, p. 6.

which they introduced to that effect were defeated. In one respect Storey failed to introduce as much control over the future chief constable as he had hoped, when the Home Office informed him that a fixed term appointment would not be sanctioned. Such a system would have given the SJC the freedom to oust a chief constable who was reluctant to conform to their demands. Nevertheless, even the watered down rules went some way to deprive him of the central feature of his authority: his freedom to manage and discipline the force as he saw fit without any interference.

It becomes increasingly apparent that Government Inspector Eden played an important part in this ongoing controversy by providing information about the state of affairs in Durham to the Home Office. As the ex County Chief Constable, he would have been acquainted with the leading players on Durham County Council, the Standing Joint Committee and the Quarter Sessions and it seems very likely that Gregson had communicated the information about the approved regulations to him at an early stage. Evidence of his insider knowledge was shown in his comment that the Durham Standing Joint Committee wanted 'to keep as much control as possible in their own hands, and to exercise powers belonging to the Chief Constable'.⁷⁹ Moreover, it was recorded that he and Government Inspector Legge were to be called into the Home Office to discuss the matter.⁸⁰

Although the events in Durham were exceptional there are some similarities between the attempts by the Radical Liberals in Durham to impose rules for the conduct of future chief constables and the attacks on the serving Chief Constable by their Cumberland equivalents. It has proved difficult to find information about the numbers of Tories and Radical Liberals on the two SJCs, but it looks as though the two parties were more finely balanced in Durham than in Cumberland. This would account for the acceptance of significant resolutions by that Committee. In each case the county force was facing a change in leadership and a chance was seen to reconfigure the balance of power in the management of the police. In Durham, Storey had set the scene with his repeated criticism of the former Chief Constable and in Cumberland, Tinniswood and Flynn looked for flaws in the operations of the present incumbent. However, they had a much more difficult task. Dunne was such a forceful, experienced and well respected figure that any bid to seriously undermine him was unlikely to be successful. Even so, his ill-judged sortie into politics did present the Radicals with an

⁷⁹ HO 45/167/A59737/17, Correspondence, August 1902.

⁸⁰ HO 45/167/A59737/17, Minutes, August 1902.

opportunity to censure him. It was a unique event and had Dunne not been so close to retirement there could have been a different outcome. The failure of the other line of attack by the Cumberland Radicals could be put down to amateurism. When Tinniswood and Flynn had taken up the cudgels on behalf of Hodgson, they had received much popular support, but when they failed to produce the witnesses to Dunne's alleged ill treatment of other officers, their case was lost. This chapter has shown further evidence that the authority of county chief constables was most vulnerable when Radical Liberals were able to use their influence on SJCs. Yet, only in Denbighshire were they able to drive the post holder out of office and that was against the wider and complicated backdrop of the Tithe War.

The actions of the Chief Constables' Club in the 1890s to try to protect themselves against unfair dismissal were indicative of how the nature of their organisation had developed from its inception in 1856. It had begun as a gentlemen's dining club which met annually on the evening before the Epsom Derby and in the first few decades of its existence, discussion had centred on non controversial issues. However, in the 90s, it began to become more of a pressure group which took joint action in an attempt to influence government policy. It began to be seen as a way for members to share their immediate concerns and an Emergency Committee was set up to deal with any urgent matters that might arise between annual meetings. In 1896, it was reported that the Chief Constables i.e. the Borough Chief Constables of the country had met to 'establish a union'. The reporter considered that this was a 'surprising' move, because the police were actively involved in suppressing what were thought to be 'illegal manifestations of Trade Unionism'. The main aims of this organisation were to bring the Chief Constables 'more in touch with each other' and to discuss matters which impacted on the 'efficiency' of the police.⁸¹

It is interesting to speculate why Asquith, the Liberal Home Secretary initially gave such short shrift to the County Chief Constables' request for a change in the law relating to dismissal and was not even prepared to meet a deputation to discuss the matter. One reason was that as a body the Chief Constables would have been almost exclusively Conservatives. However, it was more than that. It had been Liberal Party policy to accept the establishment of the SJC with its supervision of

⁸¹ *Reynolds Newspaper*, 18th October 1896, p. 4.

the county police in 1888 as a step in the right direction towards democratic control of the police, although Liberal Radicals favoured its overthrow as soon as possible, as has been seen in the actions of Storey and his supporters. Therefore, Asquith would not have condoned any tinkering with the current powers of the SJC despite an increasing number of calls (from many quarters) for its abolition. Furthermore, Asquith would have viewed the Welsh circumstances which the English Chief Constables had cited as the reason for their concern in a different light. After all the situation of Bassett and his compatriots who found themselves in a cleft stick between the conflicting demands of the magistrates and the Radical Nonconformists on some of the Welsh SJs was quite different from that of their English counterparts.

This chapter has shown further evidence that the authority of county chief constables was most vulnerable when Radical Liberals were able to use their influence on SJs but only in one case had they been able to drive the post holder out of office. One of the most significant things to emerge from the research was the concern shown by the Home Office about the extent of chief constables' powers. The state of affairs in Durham and the uncertainty about the division of power between the SJC and the Chief Constable produced many pages of opinion and advice in Home Office files. The nub of the problem seems to have been the Government's failure in 1888 to specify how far the establishment of the SJs would affect the powers that been enshrined in previous legislation. As a result there had been a lack of consensus on the subject in the Home Office itself. Investigation into the lot of county chief constables has highlighted not only their correspondence with the Home Office but also their contacts with government inspectors. In chapter eight the importance of these communication channels will be discussed.

Chapter Eight Connections Between County Chief Constables, Her Majesty's Inspectors of Constabulary and the Home Office.

In the final stage of this investigation into the authority of county chief constables attention turns to their association with Her Majesty's Inspectorate of Constabulary and officials at the Home Office. In previous chapters discussion has concentrated on the extent of a county chief constable's power within the structure of local government. However, contact with these outside bodies presents a different area for research producing information about their authority and status in situations which could be separate from their obligation to local authorities. This chapter examines the way in which chief constables benefited from these outside contacts, especially from the support of HMIC. It addresses questions about the extent to which the nature of the inspector's role was an important factor in their affiliation with chief constables. It also analyses the circumstances which determined the kinds of contacts that occurred between chief constables and the Home Office and questions whether a political element can be detected in such contacts? The opening section of the chapter is concerned with the specification for the post of HMIC, the first post holders, early communication with chief constables, the reporting process and the composition of their reports. Then attention shifts to HM Inspectors who were responsible for the Northern District during the period of this study. The contents and style of their annual reports are analysed. Next, direct and indirect contacts between HM Inspectors and chief constables are explored. The survey concludes with a review of chief constables' contacts with the Home Office and the kinds of situations in which they occurred.

HM Inspectorate of Constabulary was established by the implementation of the County and Borough Police Act in 1856 and little detailed attention has been paid to its significance in relation to the development of nineteenth-century policing.¹ However, some historians have identified the ways in which HM Inspectorate was of benefit to police forces and their chief constables as well as highlighting the limitations of the inspector's role. Critchley in particular outlined the establishment of HMIC and submitted that it was responsible for formulating national policing policies.² There has been agreement about the advantage that was derived from the measure of independence enjoyed by the post-holders. Henry Parris contended that the inspectors' freedom to

¹ County and Borough Police Act 1856, (19 & 20 Vic. c.69)

² Critchley, *History of Police*, p. 119.

set their own agenda gave them opportunities to exert pressure on police authorities to augment their forces. He argued that this was the one area of reform in which the Inspectorate together with the chief constables did achieve significant success in its early years.³ He added that the 'independent' status of county chief constables allowed them, with the support of the inspectors 'to play an important role in negotiations between the Home Office and the local authority'. An example of this kind of collaboration occurred in 1858 when Chief Constable Carter of Buckinghamshire prevailed upon HMI Crawford to attend a Police Committee meeting, where he expressed his view that efficiency could not be achieved with the current police numbers. As a result the magistrates agreed to appoint 16 more men.⁴ Further evidence about the intervention of HMIC in the deliberations which led to such increases can be found in accounts of Quarter Sessions business. For instance at the Leicestershire Michaelmas Sessions in 1880 when a resolution was moved on behalf of Captain Grimston, the County Chief Constable, to increase the force by one constable in the Aylestone Park district, the reported statement from Inspector Cobbe that there was 'an absolute necessity' for the addition won the argument.⁵ On this occasion, support from HMIC certainly helped the chief constable to present a compelling case.

In her study of the Victorian and Edwardian Home Office, Jill Pellew also commented on the autonomous position of HMIC, adding that working from home allowed them to operate without 'undue Home Office influence'. She maintained that it was easier for constabulary inspectors to establish 'an effective policy for improvement' than it was for prison inspectors who were involved in wrangles about 'the value of different forms of penal discipline and the importance of separate confinement'.⁶ On the other hand, she argued that in common with the other Inspectorates which had been established in the mid-nineteenth century 'they suffered from a lack of direction and co-ordination' which could have been provided by the Home Office.⁷ However, Michael Pike maintained that the Home Office sensed the 'delicate balance' between central and local governance of the police and reminded HMIC that letters to police authorities 'should be free from

³ Parris, *Home Office*, p. 238.

⁴ A. G. Hailstone, *100 Years of Law-Enforcement in Buckinghamshire: an Historical Survey* (Aylesbury, Buckinghamshire Constabulary, 1957), p. 12 quoted in Parris, *Home Office*, p. 239.

⁵ *Leicester Chronicle*, 23rd October 1880, p. 3.

⁶ Pellew, *Home Office*, p. 136.

⁷ Pellew, *Home Office*, p. 147.

the taint of direction'.⁸ In Richard Cowley's survey of the development of HMIC from its inception until the early years of the present century he remarked on the inspectors' opportunity 'to act on their own initiative' and he maintained that they were able to show 'considerable candour' in their reports and to express 'their views with vigour'.⁹

Emsley regarded the activities of HMIC as a form of 'creeping centralisation', especially their enforcement of 'uniformity' in the identification of 'proper policing tasks' and their advice to chief constables to adopt good practice from other forces.¹⁰ Similarly, Wall identified the implementation of the 1856 Act as the starting point of standardisation in the police force, the first of the 'key processes' which 'shaped' the development of policing.¹¹ However, the progress of 'standardisation' was slow. Most of HMICs' proposed changes to policing were dependent on the support of the Home Secretary, since HMIC was merely an advisory body with no coercive powers. Therefore the reluctance of successive Home Secretaries over the next three decades to get involved in local police administration resulted in only moderate progress in the fulfilment of HMIC's original objectives. In the 1880s, the hostility of the Liberal Home Secretary William Harcourt towards the inspectors must have been especially galling. He regarded any attempt to remove 'the power of the local authorities over their own police' as unwelcome 'centralisation'. Repeatedly attacking HMICs' method of assessing the efficiency of a force by its numerical strength, he stated in the Commons that he would 'take the opinion of the communities' themselves rather than depending on 'that of the Inspectors entirely'.¹²

A few years later when he was on the back benches, he described the inspectors as 'absolutely useless for the purposes for which they exist'.¹³ These disparaging words from a Liberal Home Secretary are understandable, bearing in mind the Party's strong support for local democracy. However, the reasons for most Tory holders of the post during this period to avoid involvement in policing affairs are less clear cut. Wall maintained that they were 'reluctant' to introduce legislation

⁸ Pike, *Principles*, p. 16.

⁹ R. Cowley, *The History of Her Majesty's Inspectorate of Constabulary* (London, COI, 2006).

¹⁰ Emsley, *English Police*, pp. 91-92.

¹¹ Wall, *Chief Constables*, p. 43.

¹² HC, Deb 3 August 1883, vol. 282, cols. 1512-1513.

¹³ HC, Deb 22 June 1888, vol. 327, col. 1053.

which might have been opposed by MPs of the many boroughs who had their own police forces.¹⁴ In support of this claim, he drew attention to the content of the 1874 Police Expenses Act which had doubled the treasury grant but failed to address the issue of police forces of small boroughs as an attempt to placate such politicians.¹⁵ Pellow took a broader view. She cited its rapidly increasing workload as the main reason for the Home Office to shed responsibilities, including those pertaining to the police, 'wherever it was politically acceptable' to do so.¹⁶ She also maintained that Home Secretaries viewed HMIC with suspicion, considering that they were biased. Therefore they tended to ignore their suggestions and 'instinctively' turned for advice to their Permanent Under-Secretaries.¹⁷

In this situation the autonomous status of HMIC which Parris, Pellow and Cowley had viewed as beneficial proved to be of little advantage in forwarding their agenda. Unsurprisingly, some disillusionment set in and Cowley commented that the HMICs' reports which became increasingly formulaic seemed 'to reflect the dispirited state' of the three demoralised men.¹⁸ Although county chief constables could and did implement several of the local reforms which had appeared on the Inspectors' original agenda, they must have experienced some of the same frustration.

Despite the augmentation of many police forces and a few other signs of progress, for example, the increase in the government subvention and limited movement on the provision of a national superannuation scheme, it was not until the run up to the 1888 Local Government Act that policing reform returned to centre stage, the implications of which have been fully outlined in previous chapters. Cowley speculated that HMIC must have viewed the 1888 legislation with 'incredulity', as it 'swept away' all the small inefficient borough forces, reducing the number of borough and county forces by 140 to 183.¹⁹ Other significant sections of the statute (as far as HMIC were concerned) will be highlighted later in the chapter. It was soon to be followed by the 1890 Police Act which established the national superannuation scheme that had been advocated by HMIC in the

¹⁴ Wall, *British Police*, p. 12.

¹⁵ Police (Expenses) Act, 1874 (37 & 38 Vic. c. 69)

¹⁶ J. Pellow, *The Home Office 1848-1914: from Clerks to Bureaucrats* (London: Heinemann, 1982), p. 40.

¹⁷ Pellow, *Home Office*, p. 181.

¹⁸ Cowley, *History*, p. 30.

¹⁹ Cowley, *History*, p. 38.

first year of their existence.²⁰ 1890 was highlighted by Cowley as the ‘year of fulfilment’ in achievement of objectives that had been identified by HMIC in 1857.²¹

The role of HM Inspectors of Constabulary

The brief for the three newly appointed men in 1857 was to conduct an annual inspection of all the borough and county police forces of England and Wales, in order to assess their efficiency and to present a report of their findings to the Home Secretary. The initial affiliation of HMIC and county chief constables was established when the Inspector arrived to carry out his assessment.

Every chief constable would have been concerned that his force should pass muster in numbers and discipline, since the Government subvention of one-quarter of the annual cost of each constabulary would be dependent on the Inspector’s satisfactory report to the Home Secretary. Efficiency in numbers was judged by a ratio of police to population and in discipline it was achieved by having enough superior officers to supervise the lower ranks when they were on duty.²² Each of the Inspectors’ reports spread over two calendar years because the inspection year started on the first day of October and ended on the following 29th September. As a result, when the reports were eventually published, the information that they contained could be considerably out of date. The reports from the free districts were bound together in the Blue Book for presentation to the Home Secretary with whom the inspectors had an annual interview about any important issues that had arisen in the course of their inspections. However, he would also have had the chance to see them in draft form at an earlier stage.

Table one provides an overview of the appointments of the Inspectors to the three districts of HMIC from its establishment in 1856 until 1907 when their number was reduced to two, on the death of Charles Legge.

²⁰ Police Act 1890

²¹ Cowley, *History*, ps. 39-40.

²² Parris, *Home Office*, p. 230-231.

TABLE 5 Appointments of H. M. Inspectors 1856-1907

<u>Date of Appointment</u>	<u>Northern District</u>	<u>Midlands District</u> <u>including N. Wales</u>	<u>Southern District</u> <u>including S. Wales</u>
1856-1857	John Woodford	William Cartwright	Edward Willis
1867	William Elgee		
1868		Charles Cobbe	
1881	Charles Legge		William Elgee
1891	Herbert Croft	Charles Legge	Francis Parry
1899			Herbert Terry
1902	John Eden		
1907	<u>Northern District</u>	<u>Southern District</u>	
	John Eden	Herbert Terry	

Sources: P.P. 1856–1907, Reports of HM Inspectors of Constabulary

The first Inspector to be appointed in 1856 was William Cartwright. He had served in the army and with members of his family he had participated in local government administration. He was joined by John Woodford, ex Chief Constable of Lancashire and before long by Edward Willis who had been Chief Constable of Manchester. As Cowley commented, their first report ‘exploded the idea’ that a ‘standard police system’ existed across the country, identifying ‘differences in pay, outlook, leadership, efficiency and status’.²³ The Inspectors, particularly Cartwright who took a leading role, quickly identified the problems which needed attention. The large number of their highlighted concerns suggested that at this early stage they envisaged a wider role for themselves than merely producing an annual report on the state of policing in their districts. These included the existence of too many small borough constabularies, the lack of communication between forces, varying pay

²³ Cowley, *History*, p. 17.

scales and the need for a national superannuation scheme. In addition, Cartwright was in favour of police officers having a greater role in implementing the escalating civil and social legislation that was appearing on the statute book.²⁴ Woodford and Willis were less enthusiastic about increasing police involvement in this sphere, maintaining that it could detract from their primary function.²⁵ In his second annual report there is evidence that Cartwright was working closely with the chief constables in his district. He mentioned 'the great exertions' that the chief constables had been making, particularly in organising the consolidation of a number of smaller borough forces with county constabularies. As testimony to their success he included complimentary letters from magistrates and mayors in the boroughs concerned.²⁶ In fact, Jenifer Hart commented that the early HMIC who were supportive of the efforts made by the chief constables in their districts, were 'far from being ogres' and 'positively apologised for the suggestions they made'.²⁷

Although the Inspectors' annual visits to the counties and boroughs brought them into contact with every chief constable, the only real evidence of most of these encounters is to be seen in their subsequent reports. These largely consisted of statistics which listed: the size of the county; the number of police per head of population; the number of men in each rank; rates of pay; licensed properties; extra duties; categories and volumes of crime; vagrancy and the total police holding St. John Ambulance certificates. The quality of uniforms, the condition and suitability of police property, the food given to prisoners and the current state of the force's superannuation fund were also covered. In the report, a format with standardised wording into which annual data could easily be inserted was adopted and few alterations were made to it. As a result, the documentation of some forces was almost identical from one year to the next. Although changes in the leadership of borough and county constabularies were usually recorded, there is little to suggest in most of the reports that there was much personal contact between HM Inspector and the chief constables in his district.

²⁴ Cowley, *History*, p. 19.

²⁵ Steedman, *Policing*, p.

²⁶ P.P., 1857-1858, xlvi.657, Reports of Inspectors of Constabulary for the year ending 29th September 1857.

²⁷ J. M. Hart, *British Police* (London, Allen and Unwin, 1950), p. 33.

The meeting ground for Inspectors and Chief Constables in the Northern District

Initially, it appeared that the appointment of John Woodford as HM Inspector for the Northern District was an inspired choice. With his 17 years' experience as Chief Constable of Lancashire, the largest provincial force in the country, he should have been well qualified to report on forces in the contrasting areas of rapid industrialisation and rural isolation in the northern counties. He did not hide his light under a bushel in his opening remarks on the state of Lancashire policing in 1857. Admitting that it would be inappropriate for him 'to dilate' upon the qualities of the county force, he then remarked that it could be favourably compared with 'any similar establishment in the country', citing particularly 'the zeal and ability of the officers' and the 'demeanour, intelligence and steady obedience of the sergeants and constables'.²⁸ Cowley felt that the 13 days taken by Woodford to carry out the Lancashire inspection were excessive, since he had left office in the county only a few months previously.²⁹ This judgement seems harsh, when the disproportionate challenges facing his replacement are taken into consideration. Woodford did not uncover major problems in the northern counties and boroughs although he judged that policing in the East Riding of Yorkshire would be inefficient until its force had been substantially increased.³⁰ In many other cases he identified a need for an addition to the current manpower. In his first report he also included some of his correspondence with the chief constables, mayors, chairmen of Quarter Sessions and watch committees who he had met on his first visits to the counties and boroughs in his district. Unlike Cartwright and Willis, he did not preface his first report with some general conclusions on his findings.

On Woodford's first inspection of the Cumberland and Westmorland force, he recognised the potential of the recently appointed Chief Constable, John Dunne. In a letter to Colonel Hasell, Chairman of Cumberland Quarter Sessions he described Dunne as a 'very intelligent and experienced' chief constable who had chosen his officers with 'care and discrimination'.³¹ The

²⁸ P.P. 1857-1858, xlv11.657, p. 36, Reports of Inspectors of Constabulary for the year ending 29th September 1857.

²⁹ Cowley, *History*, p. 16.

³⁰ P.P. 1857-1858, xlv11.657, p. 39, Reports of Inspectors of Constabulary for the year ending 29th September 1857.

³¹ P.P. 1857-1858, xlv11.657, p. 42, Reports of Inspectors of Constabulary for the year ending 29th September 1857.

instructions that John Dunne sent to Superintendent Carson in preparation for one of Woodford's first inspections of the Cumberland and Westmorland Constabulary show that he made every effort to impress his visitor. He requested that the 'horses and carriage' that were to convey Woodford and Dunne from Alston to Penrith should be 'the best' that could be obtained, with an opening top 'if possible'.³² Likewise his expectations for the men's appearance as 'particularly neat and clean' and 'in every respect strictly correct' suggest that he appreciated the importance of the occasion.³³

According to Cowley, the quality of Woodford's reports deteriorated during his ten years in office. He described them as 'laconic, terse and almost bland' when they were compared with the 'lengthy directness of Cartwright' and Willis's 'increasing pungency'.³⁴ He considered that Woodford, of whom 'great things had been expected', owing to 'his undoubted success in Lancashire' had been 'a disappointment'.³⁵ His successor in 1867, William Elgee who was also an ex Chief Constable of Lancashire and Charles Cobbe, who replaced Cartwright in the following year were also castigated by Cowley for the 'complacency and apathy' of their 'formulaic' reports.³⁶ In fact the only real evidence of Elgee's policing philosophy can be seen in the opening comments to his 1876 Report when he advocated more centralisation and standardisation. Arguing that 'the entire police system' required 'consolidation and amendment', he maintained that the current arrangement of '221 separate jurisdictions', each of which had its own 'governing authority' could not operate efficiently or economically. He was especially critical of the way in which the policy of watch committees could be determined by 'local interests' and 'the connections of their members'.³⁷ When Charles Legge who had served a mere three years as Chief Constable of Lancashire succeeded Elgee 14 years later, there was little change in the style of reporting since most of his reports were even more repetitive and lacking in detail than those of his predecessor. The lack of interest and enthusiasm which began to creep into some of the annual reports could have been associated with a growing realisation that any ideas that HMIC had for improvements in policing were unlikely to be supported by the Home Secretary. Although there was evidence in the early

³² C.R.O., SCONS/1/3, Chief Constable's Copy Letter Book, 28th May 1860

³³ C.R.O., SCONS/1/3, Chief Constable's Copy Letter Book, 26th May 1860

³⁴ Cowley, *History*, p. 26.

³⁵ Cowley, *History*, p. 28.

³⁶ Cowley, *History*, p. 30.

³⁷ P.P. 1876, xxx1v.1, Reports of Inspectors of Constabulary for the year ending 29th September 1874-5, p. 119.

reports of HMIC when policies were being discussed that there had been communication between the Inspectors they began to operate on their own, only coming together when they had to make a joint response to a request from the Home Secretary. Most of the statistical returns in the reports inevitably became stereotyped and any general concern or opinion was usually expressed in the Inspector's preamble, although this section was often brief.

Herbert Croft who replaced Legge in 1891 proved to be the most committed and effective Inspector in the first 50 years of the organisation's existence.³⁸ The content and style of his reports provide a good indication of how his attitude to the office of HM Inspector differed from those of his colleagues. The Reports for 1899 which were produced in the 1900 Parliamentary session illustrate some of these differences.³⁹ The other two Inspectors in that year were Francis Parry who had been appointed to the Southern District in 1891 and Charles Legge who was now responsible for the Midland District. Legge and Parry wrote in a brief impersonal style, rarely straying outside the required detail. Croft's reports on the other hand which often expressed concerns on and interest in a range of topics displayed more empathy and support for chief constables. In the preamble to his 1900 Report he deplored the frequency of assaults on the police, extolled the advantages of ambulance training, regretted that some men were retiring too early from the police and suggested that all forces should adopt an age limit. He also highlighted a scheme to re-enlist retired officers that was being trialled in Liverpool and remarked on the outcome of a widely publicised bribery case in Manchester where certain police officers had been receiving presents from brewers.⁴⁰ Whereas Legge and Parry usually made reference to retiring or deceased chief constables only in passing, Croft spoke with knowledge and appreciation of the men who had served in the Northern District, making reference to their personal qualities. Croft's report also showed that he had supported Samuel Nicholls, Chief Constable of Newcastle-Upon-Tyne when complaints about his account keeping and discipline were voiced by members of the force in the 1898 inspection.⁴¹ Even in 1902, the year in which he died in office, Croft continued to write more fully than the other two HMIs about the counties and boroughs in his district. Interspersed throughout Croft's reports

³⁸ Elgee was transferred to the Southern District in 1881 and Legge to the Midlands District in 1891.

³⁹ P.P. 1900, XL.1, Reports of Inspectors of Constabulary for the year ending 29th September 1899

⁴⁰ P.P. 1900, XL.1, Reports of Inspectors of Constabulary for the year ending 29th September 1899, p. 73

⁴¹ P.P. 1899, XLII.1, p. 135.

there are also complimentary comments about officers of other ranks, focusing particularly on those who had died in the course of their day to day work. Such plaudits would have been based on information passed to him by chief constables and are an indication of close communication between Croft and some of the chief constables in his district. They demonstrate a level of involvement which is absent from the reports of the other Inspectors.

Croft's wide ranging interest in all aspects of police affairs can also be seen in his detailed assessment of police property. He gave credit for change and improvement where it was due but supported chief constables by making it quite obvious to their police authorities where there were shortcomings which needed to be addressed.⁴² Copious information which was included in these property- related accounts covered the provision and condition of police stations, lock-ups, cells and accommodation. His advice ranged from the obtaining of loans for the purchase of land or buildings and the eradication of dampness to construction plans, and even actual room measurements. In his 1896 report he drew the attention of the Chief Constable of Durham to a method which he had seen in other counties for bringing more daylight into police cells.⁴³ Croft who realised that problems for the police in connection with weights and measures inspections were ongoing, made annual reference to the situation.⁴⁴ He also criticised the practice that had been adopted by some forces whereby constables were being employed as assistants to weights and measures inspectors who had been employed from outside the police.⁴⁵

Despite his seeming attempts to support local forces and their chief constables, Croft was guilty of insensitivity on at least one occasion. This was demonstrated at a meeting of the Cheshire Standing Joint Committee in 1896. In a letter from the Home Office to the SJC it was stated that he had recommended the erection of a new lock-up and the provision of an additional constable at

⁴² Although the 1888 Local Government Act had made SJC's totally responsible for the administration of all property connected with the police, it was the chief constables who were in the front line of the inspectors' fire when they made often quite damning evaluations of the local provision. See C.R.O., Westmorland SJC Papers, Box 1, 17th July 1894. Correspondence from County Surveyor to the Westmorland SJC by the County Surveyor in July 1894, recording his disagreement with Chief Constable Dunne about the finer points of the Tortoise and Constantine stoves for heating cells give an example of involvement of chief constables in these matters.

⁴³ P.P. 1896, XLII.1, reports of Inspectors of Constabulary for the year ending 29th September 1895, p. 89

⁴⁴ In Chapter Six, discussion of the difficulties connected with policing the inspections reveal that individual chief constables had consulted Inspectors on the subject

⁴⁵ P.P. XLV.1, 1893-1894, Reports of Inspectors of Constabulary for the year ending 29th September 1892, p. 82

Alderley Edge before the start of the summer season.⁴⁶ In response to Croft's recommendation, Chief Constable Hammersley argued that since the 'behaviour of the trippers' was not a problem and 'in view of the proximity of Wilmslow' there was no need for the new building. He added that he had received no representations on the subject from local residents and he could not discover the source of the Inspector's information.⁴⁷ As a result, the SJC resolved to take no action in the matter. They also resolved to ignore Croft's second recommendation which was to replace Tattenhall Police Station with a larger building, after Hammersley had described his information in this case as 'erroneous'.⁴⁸

Owing to the strictures of the reporting format and the large number of boroughs and counties for which assessment was required even Croft was unable to demonstrate a consistent level of commitment. Nevertheless, he emerges as the most competent, involved and helpful Inspector and issue has to be taken with Cowley's opinion of his reports as 'dull and complacent', saying 'little about his approach or aims'.⁴⁹ The irony is that Croft was the only one of the three 1890s inspectors who had no previous policing experience.

John Eden's elevation to the position of Inspector for the Northern District in 1902 following his time as Chief Constable of Durham was a significant and timely appointment. Because of the current situation in Durham when he took up office, he was in a position to affect the status of all future county chief constables and their relationship with their SJCs. His role as an informant to the Home Office about the attempts of the Durham Radical Liberals to exert more control over their Chief Constable was discussed in Chapter Seven. Without his involvement, the Home Secretary's understanding of how events were unfolding in Durham would have been far more restricted. There is no evidence to suggest that any other Inspector was placed in a similar situation during the years of this study.

⁴⁶ *Cheshire Observer*, 25th July 1896, p. 6.

⁴⁷ *Cheshire Observer*, 25th July 1896, p. 6.

⁴⁸ *Cheshire Observer*, 25th July 1896, p. 6.

⁴⁹ Cowley, *History*, p. 41.

Communication between County Chief Constables and Inspectors

Proof exists that in some instances there was communication between chief constables and inspectors apart from their meeting at the annual inspection. An example of this can be seen in a letter that Croft wrote to Chief Constable Dunne in June 1894 soon after his inspection of Westmorland. Croft picked up on discussion that the two men must have had on that occasion. He reminded Dunne that there were 'a few matters that required looking into or completing at once.' Although two of the 'matters' on the list did appear in his later report on Westmorland, four other concerns that he had probably aired at the inspection did not.⁵⁰ The first of these consisted of uncompleted work on the cells at Appleby. He also mentioned the need for: a lock-up at Aspatria; a charge room at Workington and a police station at Harrington.⁵¹

This example of seemingly direct correspondence between Croft and Dunne that bypassed the annual report leads to speculation about the quantity of other advice and information that was transmitted between inspectors and chief constables. Apart from anything else an inspector was dependent on each chief constable to provide his force's annual statistics which in many cases constituted the bulk of the report and these alone, according to the Inspectors, required consultation and amendment. During a Home Office discussion in 1888 about reducing HMIC from three to two, the comment was made that the Inspectors 'perhaps' had to engage in 'a little miscellaneous correspondence with chief constables'.⁵² HMIC had a very different view of their workload. For example, when the subject of reduction was raised again in 1891, the Inspectors claimed that they had 'personally' and 'constantly' to deal with 'a large amount of correspondence'.⁵³ Since Home Office officials were aware of the quantity of correspondence that passed between themselves and HMIC, it must be assumed that most of the correspondence to which the Inspectors were referring was their communication with chief constables.

⁵⁰ C.R.O., Westmorland S.J.C. Papers, Box 1, June 1894, Correspondence from HMI Croft to Chief Constable in Chief Constable's Report.

⁵¹ C.R.O., Westmorland S.J.C. Papers, Box 1, June 1894, Correspondence from HMI Croft to Chief Constable in Chief Constable's Report.

⁵² HO 45/10016/A52889, Inspection of Constabulary, District, numbers etc., Minute, 10th December 1888.

⁵³ HO 45/10016/A52889, Correspondence, 11th December 1891.

In 1896, an example of communication between chief constables and HMIC occurred, when members of the Chief Constables Club solicited the Inspectors' support in a petition to the Home Office. This followed their collaboration at the annual meeting of the Chief Constables Club where they had memorialised the Home Secretary in the first of several attempts to protect themselves from dismissal, the fate suffered by Major Lewis, Chief Constable of Cardiganshire (as recounted in Chapter Seven). In 1890, soon after Lewis's dismissal, the Chief Constables had passed a resolution, regretting that the government had not taken 'measures to protect chief constables' in advance of passing their 'oversight' to 'a new Governing Authority'.⁵⁴ The wording of the actual memorial in 1896 stated that 'Occurrences in certain counties', particularly the dismissal of Lewis with 'no proof of misconduct' made it 'imperative' to address the matter.⁵⁵ They reminded the Home Secretary about the anomalous position of a county chief constable who could be asked to follow instructions from magistrates to which his SCJ might be 'antagonistic'.⁵⁶ Their two demands were a requirement for the Home Secretary's sanction and a two thirds majority of the SJC for the dismissal of a county chief constable. They also wanted to send a deputation to express their views 'personally'.⁵⁷

In a letter to HMI Elgee, the chief constables of the Southern District mentioned that they would be 'grateful' for any support that he could offer.⁵⁸ In his subsequent correspondence with Matthews, the current Tory Home Secretary, Elgee expressed a hope that he would 'graciously see fit to comply with the prayer of the petition'. He added that the recent dismissal of the Chief Constable of Cardiganshire had created strong 'anxiety and apprehension'.⁵⁹ The chief constables of the Midland District approached HMI Cobbe in a similar vein. He argued their case by stressing how inappropriate it was to treat men in their position, who had served their country with 'credit' in the armed services, 'or other high capacity' with such disrespect. They had expressed anxiety that

⁵⁴ ACPO, CLP1/1, Chief Constables' Club, Minutes of Meetings 1856-1911, 26th June 1890.

⁵⁵ In 1896, the 'occurrences' to which they referred would primarily have been the attacks by the Durham SJC on the authority of their Chief Constables.

⁵⁶ ACPO, CLP1/1, Chief Constables' Club, Minutes of Meetings 1856-1911, 26th June 1896.

⁵⁷ ACPO, CLP1/1, Chief Constables' Club, Minutes of Meetings 1856-1911, 26th June 1896.

⁵⁸ HO 45/11034/A56752, Protection of Chief Constable from arbitrary dismissal, Correspondence, 12th May 1890.

⁵⁹ HO 45/11034/A56752, Correspondence, 3rd June 1890.

‘their position’ could be at risk if they attempted to ‘discharge their lawful obligations efficiently’.⁶⁰

Unfortunately for the chief constables, the Inspectors’ pleas fell on deaf ears. In his reply, Matthew Ridley the current Tory Home Secretary flatly refused to grant either of the chief constables’ demands or to meet a deputation from the Club.⁶¹ The view expressed by Home Office officials was that although such a move would be ‘a very good thing’, it was unlikely that Matthews would agree to ‘putting shackles on the local authority’, whose powers had been obtained so recently. A suggested compromise which would partly meet the chief constables’ needs was that a clause should be included in the upcoming Superannuation Bill which made the Government Superannuation grant ‘dependent on a certificate from the Inspector as to the proper administration of the force’.⁶² The wording used here to describe the required level of management represents a significant shift from the term, ‘efficiency’, which had been in use since inspections were established in 1856.

Nothing daunted, the chief constables appealed to him again giving the reasoning behind the proposal for the two thirds majority. They considered that a decision made by a small committee where the chairman had the casting vote was less satisfactory than that which, under Quarter Sessions police supervision had been reached by a much larger number of people. Furthermore, when magistrates and councillors were ‘at odds’ on an SJC the decision of the chairman was likely to be determined by his party allegiance. They stressed the significance of the SJC decision making in relation to the dismissal of chief constables by mentioning that in Lewis’s case, the Home Secretary ‘could do nothing for him’.⁶³ They also emphasised the importance of the chief constable’s role, especially during breakdowns in law and order. In conclusion, they reiterated the need for a change in the present rules to avoid the possibility of an officer being ‘hastily sacrificed’ by a casting vote or the decision of ‘a comparatively small body of persons’.⁶⁴

⁶⁰ HO 45/11034/A56752, Correspondence, 18th June 1890.

⁶¹ ACPO, CLP1/1, Chief Constables’ Club, Minutes of Meetings 1856-1911, 8th July 1896.

⁶² HO 45/11034/A56752, Minutes, 27th June 1896.

⁶³ ACPO, CLP1/1, Chief Constables’ Club, Minutes of Meetings 1856-1911, 19th September 1896.

⁶⁴ ACPO, CLP1/1, Chief Constables’ Club, Minutes of Meetings 1856-1911, 19th September 1896.

Although this communication received a more conciliatory response and a commitment from the Home Secretary to give their ‘representation [...] most careful consideration’, it seems that no action was taken by the Government to even consider the chief constables’ demands.⁶⁵ HMIC had made a further attempt to plead the cause of the chief constables when they met with the Home Secretary in 1897 but to no avail. Comment in the Home Office Minutes was that he was still ‘against fettering the discretion of the local authorities’ but that the chief constables’ ‘grievances’ were met to some extent by the clause in the 1890 Superannuation Act which provided any dismissed constable a right of appeal to Quarter Sessions in relation to his pension.⁶⁶ There is no indication that HMIC made any further approaches to the Home Secretary on behalf of the chief constables. Perhaps the decision of the Chief Constables’ Club in 1898 to admit HMIC as honorary members was a reward for their efforts.⁶⁷ In 1901, when the county chiefs memorialised the Home Secretary again they requested only one change in the regulations: his sanction in the case of dismissal of a county chief constable by an SJC.⁶⁸ Doubtless, by that stage they had accepted that the Home Secretary was unwilling to detract from the control of the SJC in order to give security of tenure to the chief constables. HMIC, with access to Home Office thinking on the matter would have reached that conclusion at an earlier stage. Nevertheless, in 1908 a more optimistic tone was being set at the Home Office in a comment that ‘an amendment of the law’ was ‘much to be desired’, particularly ‘when a Medical Officer of Health could not be dismissed without sanction of the Local Government Board’.⁶⁹

As has already been mentioned, Croft indirectly supported chief constables in his annual reports by bringing concerns about the inadequacies of some police buildings and the necessary provision of others to the attention of their SJCs. Other matters which were highlighted in HMIC reports could also be interpreted as coded messages of support for chief constables. These were frequently concerned with the continuing need for increases to police forces which had previously been communicated to the Inspectors by chief constables. On occasion, a chief constable would already have approached his SJC on the matter, without success. For instance, in his 1891 report HMI

⁶⁵ ACPO, CLP1/1, Chief Constables’ Club, Minutes of Meetings 1856-1911, 25th September 1896.

⁶⁶ HO 45/11034/A56752, Minutes, 14th March 1897.

⁶⁷ HO 45/11034/A56752, Minutes, 17th June 1908.

⁶⁸ ACPO, CLP1/1, Chief Constables’ Club, Minutes of Meetings 1856-1911, 2nd March 1901.

⁶⁹ HO 45/11034/A56752, Minutes, 17th June 1908.

Cobbe highlighted the need to augment the Carnarvonshire constabulary to fill gaps that were left when officers were temporarily transferred to tourist locations.

An 1897 file indicates that not only did the Home Office have little understanding of the amount of correspondence that passed between inspectors and chief constables but also that they were unaware of the extent of the communication between inspectors and police authorities. The evidence for this was revealed in Home Office correspondence and discussion about a proposed addition to the Inspectors' reporting procedures. Evidently, they were to be required by the Home Secretary to contact a police authority 'unofficially' if they had identified anything on their inspection that needed 'remedying'. Should the police authority prove 'obdurate' then the Home Secretary would be informed (presumably in the draft report). This would facilitate the production of more up to date reports since the statistical section could be produced at an earlier stage with 'special observations' about unsolved problems being added to the 'proof', if necessary.⁷⁰

Unsurprisingly, at least one Inspector commented that he already communicated with police authorities about such matters. Moreover it is likely that by this stage some follow up with chief constables and police authorities would have been common practice. Discussion among Home Office officials revealed that it was the 'the divergence of practice' among the Inspectors that gave cause for concern. However, the general opinion was that it would be 'better to give them credit for pursuing the same course' in the Home Secretary's letter, rather than criticising them.⁷¹

Effects on County Chief Constables of HMIC contact with the Home Office

It appeared that implementation of the 1888 Local Government Act would have repercussions for the position of HMIC, their relationship with the Home Office and their contact with chief constables. When HMIC contacted the Home Secretary to inquire how the new legislation would affect their duties they were informed that as the supervision of the police passed to the Standing Joint Committees, HMIC would have fewer responsibilities.⁷² Although they would continue to report whether police forces were 'in a state of efficiency' in numbers and discipline, they would

⁷⁰ HO 45/9751/A59061, Improved method of reporting by H.M. Inspectors to Home Office on matters requiring special attention, Correspondence, 25th June 1897.

⁷¹ HO 45/9751/A59061, Correspondence, minutes, July 1897.

⁷² HO 45/9691/A49318/2, Effect of Local Government Act 1888 on contribution towards County and Borough Police Forces, Correspondence, January 1889

no longer have to certify that the number in each force was not 'in excess of requirements' or that pay scales and cost of clothing were reasonable.⁷³ There would be 43 fewer borough and county forces to inspect and decision making about which extra duties should be performed by the police would be transferred from the Home Secretary to SJs, county councils and Quarter Sessions. However, an inspector would report to him any case of a force whose extra duties prevented it from being deemed efficient. In reality these changes do not seem to have had much effect on HMIC's responsibilities.⁷⁴ It is obvious that the Government had regarded the 1888 Act with its provision for elected county councils to take over most of the administration of Quarter Sessions and also some of its own responsibilities as an opportunity to distance itself from the control of the police. Therefore, the attempt to reduce the role of HMIC at this stage is understandable. Although the changes to the role of HMIC might have been intended to reduce their contact with chief constables, this did not happen. Moreover, when Cowley estimated the Inspectorate's function in the 1890s as merely one of 'caretaking' he ignored a number of ways in which individual inspectors developed the role to the advantage of police authorities, chief constables and the Home Office in the final years of the nineteenth century.⁷⁵

For example, the Home Office continued to ask HMIC to follow up individual situations that had been brought to their attention. In one instance, HMI Cobbe was asked by the Home Office in 1890 to investigate a case which involved the Chief Constable of Flintshire, Colonel Webber. Since 1872 there had been a history in Flintshire of the Chief Constable appointing one of his superintendents, with the approval of the Quarter Sessions, as Deputy Chief Constable. The post carried an annual addition to the officer's salary of £9. In 1884, Superintendent James Dale Bolton had succeeded to the post and Colonel Webber, the current Chief Constable had reappointed him as Deputy when he took up office in 1888.⁷⁶ A member of Flintshire SJC had expressed concern about this practice. He accepted that it was 'proper' for Chief Constable Browne to have made the appointment in 1872 because he was 'a man in years'. However, since Webber was 'comparatively speaking, a young man' he felt that no appointment should have been made until he was unable to do his job without

⁷³ HO 45/9691/A49318/2, Correspondence, January 1889.

⁷⁴ HO 45/9691/A49318/2, Correspondence, January 1889.

⁷⁵ Cowley, *History*, p. 61.

⁷⁶ HO 45/A50153, Appointment by Chief Constable of Superintendent as his Deputy, Minutes, correspondence, 20th February 1890.

assistance and he wanted to know if Bolton's position was legal.⁷⁷ Cobbe was able to reassure Chief Constable Webber that his action had been perfectly legal. In fact, he stated that according to the 1839 County Police Act it was 'imperative' for a county chief constable to appoint one of his superintendents to be his deputy. Cobbe explained that while the chief constable was capable of performing his duties, his deputy had no powers apart from those shared with other superintendents. If however the chief constable became incapable of functioning properly, or was out of the county, then the deputy would take over. In fact, Cobbe added that it would be 'improper' not to provide for such an eventuality.⁷⁸ An example of the support given by an inspector to a chief constable is also seen in a case when Croft was deputed by the Home Office to investigate the circumstances surrounding an attempt by the Chief Constable of Derbyshire to gain a pay rise for his force. An inquiry was ordered because the proposed pay scales were higher than average. In his reply to the Home Office Croft revealed that the Chief Constable had been concerned that some men had recently moved to surrounding forces which had better rates of pay.⁷⁹ Croft's research which revealed that the Chief Constable had a valid case led to the Home Secretary's approval for the increase.⁸⁰

Despite the suspicion with which the Inspectors were sometimes viewed by Home Office civil servants, their opinion on policing policy was periodically sought by the Home Secretary. On such occasions their responses often displayed some empathy with the leaders of county and borough police forces who would have been affected by proposed changes. In 1882, Harcourt sought their views about handing over the police 'entirely' to local control.⁸¹ The Home Office consulted not only Cobbe, Elgee and Legge, the three Inspectors for England and Wales at that time but also Andrew Carnegie, the Inspector for Scotland. Needless to say, none of them mentioned the anxiety which must have been foremost in their mind – the likelihood of their positions disappearing if Harcourt's scheme was adopted. However, they shared one overriding concern which was that the

⁷⁷ HO 45/9700/A50153, Minutes, 20th February 1890.

⁷⁸ HO 45/9700/A50153, Correspondence from HMI Cobbe to Chief Constable Webber, 27th February 1890.

⁷⁹ HO 45/9700/A50148, Minutes, 18th May 1892.

⁸⁰ HO 45/9700/A50148, Minutes, 15th June 1892.

⁸¹ HO 45/9617/A14205, Proposal to hand local police entirely to Local Authorities, Minute, March 1882.

‘efficiency’ which had been achieved since 1856 by the chief constables in county and borough forces would be under considerable threat if such a significant change went ahead.⁸²

They argued that the driving force behind the progress of those years had been the government subvention. It had not been used to increase the size of a force unnecessarily. Rather, it had been ‘the desire of chief constables and local authorities’ to appoint only as many men as were necessary to maintain efficiency. This had removed ‘jealousies between forces’ and had achieved a ‘cordial cooperation in the detection of crime’.⁸³ Ominously, Carnegie predicted a rapid decline if the management of the police was transferred to local authorities, as police leaders attempted to maintain the status quo with a growing population and a restricted budget. Moreover, he envisaged that the number of extra duties that were devolved on the police would accumulate and that in the boroughs particularly it would become increasingly difficult for the police ‘to do their duties impartially and independently’. In fact, he was in favour of more centralisation of the police rather than less.⁸⁴ The ‘absolute consensus’ of the Inspectors was noted by Lord Rosebery, an Under-Secretary and there is no evidence that the matter was taken any further.⁸⁵

If the Police Promotion and Appointment Bill, a draft of which was passed to HMIC for their comment in 1897 had reached the statute book, it would have had far reaching consequences for chief constables.⁸⁶ Despite its stated objectives of ‘facilitating cooperation’ and ‘providing police assistance from one force to another’ the introduction of ‘tests of the qualifications of candidates’ who sought to be promoted or appointed ‘to any grade’ and the regulation of ‘the transfer of officers’ rang alarm bells for the Inspectors. So did the composition and powers of the proposed Commission which would oversee the working of the new act, not least perhaps because HMIC was not to be represented on the body.⁸⁷ Headed by the Home Secretary, the proposed membership consisted of one Borough and one County Chief Constable, one SJC and one Watch Committee Chairman, the Commissioner of the Metropolitan Police and three other persons who held no paid

⁸² HO 45/9617/A14205, Correspondence, March 1882.

⁸³ HO 45/9617/A14205, Correspondence, March 1882.

⁸⁴ HO 45/9617/A14205, Correspondence, March 1882.

⁸⁵ HO 45/9617/A14205, Minutes, March 1882, Minutes.

⁸⁶ HO 45/9923/B23931, Police Appointment and Promotions Bill, Minutes, April 1897.

⁸⁷ HO 45/9923/B23931, Minutes, April 1897.

office in the Services or under any local authority.⁸⁸ The membership balance of this proposed Commission was very similar to that of the Police Council which was established in 1919 in the wake of the police strike of the previous year.⁸⁹ In each case, the representation of the police and organisations associated with the police heavily outweighed that of outside bodies.⁹⁰ However, it is also worth noting that the briefs of the proposed Commission and the Police Council were very different. Whereas the purpose of the Commission was to introduce a large measure of standardisation and regulation into the organisation of the police, the Police Council was primarily concerned with the standardisation of pay and pensions.

One of HMI Parry's chief objections to the planned legislation stemmed from its attempt to deprive chief constables of their freedom to appoint candidates which at present they exercised 'with the utmost care', giving 'young men' the chance 'to improve their knowledge' and enabling them to seek 'further promotion'. He added that nobody else was in a position to 'judge more fully' than the chief constable who was the right man for the job.⁹¹ Arguing that there was no need for the Bill, he stated that 'a great want of knowledge' about the 'working and management of the police' had been shown by those who had advocated it. He claimed that the motivation for the measure had come from 'a few discontented officers [...] who were 'very hard to please'. They were 'greatly assisted in any agitation' by the Editor of *The Police Review* whose primary aim seemed to be to 'curtail' the current power of chief constables. Parry considered that the Editor who had an 'antipathy' to chief constables, particularly if they had a services background aimed 'to encourage acts of insubordination and to upset discipline'.⁹² It appears that the general feeling in the Home Office was in line with that of HMIC, in not recognising any need for such legislation. It was recognised to be short on detail and even if there was some support for introducing more centralisation of the police, it was considered that this 'undesirable measure' was not 'the mode of doing it'.⁹³

⁸⁸ HO 45/9923/B23931, Correspondence, April 1897,

⁸⁹ *The Times*, 5th August 1920, p. 7.

⁹⁰ *The Times*, 20th October 1920, p. 14,

⁹¹ HO 45/9923/B23931, Correspondence, April 1897.

⁹² HO 45/9923/B23931, Correspondence, April 1897.

⁹³ HO 45/9923/B23931, Minutes, April 1897.

The acceptance of three suggestions for amendments to the laws that governed county and borough police forces which were submitted to the Home Office in 1898 by HMIC Croft, Legge and Parry could have had considerable repercussions for county chief constables. After their annual interview with the Home Secretary in 1895 the Inspectors had submitted to the Home Office their opinions about the amalgamation of the smaller borough forces with county constabularies, an ongoing concern for HMIC.⁹⁴ At that stage, although they agreed with the idea in principle, they had differed on the detail and it appears that the Home Secretary, fearing an accusation of interfering with municipal authorities, had dropped the scheme. However, this time the Inspectors were united in their recommendation that no borough except a county borough should be permitted to maintain a separate police force. Their main argument for the change was that efficient and independent policing could only be delivered through large constabularies. In conjunction with this, they proposed that the position of chief officer in these large boroughs should be ‘recognised by statute’ and that these men should be ‘on the same footing as County Chief Constables’.⁹⁵

These developments would have affected the position of the county chief constables in several respects. Firstly, many borough forces would have been absorbed into the county constabularies, giving them the management of large numbers of men and thereby enhancing their status. However, if the chief constables of the county boroughs to all intents and purposes joined their ranks, the small select body to which the county chief constables and their predecessors had belonged and which had provided them with mutual support would be assimilated into a larger, more diverse group. Furthermore, as has already been seen in Chapter Six, the complexities associated with absorbing borough forces into county constabularies added substantially to the workload of county chief constables.

HMICs’ third suggestion could have resulted in some difficult decision making for chief constables. They advocated that an officer’s entitlement to receive his pension on the completion of his required length of service should not be affected by minor misconduct, but only by a serious offence which ‘in the opinion of the Chief Officer’ merited its loss or one which would entail the

⁹⁴ HO 45/11034/A56752, Minutes, 14th March 1895.

⁹⁵ HO 45/9752/A59591, Constabulary Inspectors submit Suggestions for the amendment of the Laws which govern the County and Borough and Police Forces, Minutes, 2nd February 1898

forfeiture of his pension if it had led to a court conviction for 'neglect of duty'.⁹⁶ When Commissioner Bradford of the Metropolitan Police was asked for his opinion on this matter, he stated that such a ruling would not be good for discipline, as men might become 'careless in their duties', thinking that if they kept out of 'serious scrapes' their pensions would be safe.⁹⁷ The Inspectors also suggested that in order to 'check the rush for pensions' as soon as they became due, it would be a good idea if every man who was entitled to a pension should be required to retire 'on receipt of not less than one or more than three months' notice from the police authority'.⁹⁸ The comments of Home Office officials make it quite clear that HMICs' recommendations were not well received and no further action was taken on them.⁹⁹

The style and content of the correspondence and reports on police policy that HMIC provided in response to requests from the Home Office indicate that they often collaborated to produce a joint response. However, the difference of approach in the preambles to their annual district reports suggests that communication between the Inspectors at other times was limited. Whereas in some cases they viewed the introduction to the report merely as an opportunity to comment on such things as crime statistics, increases, resignations, uniforms and licensed premises, in others they discussed the benefits of detective work, the problems associated with small boroughs, the differing punishments handed out for drunkenness and other topics. A comparison made of the preambles to the district reports at ten year intervals showed very few occasions where the three Inspectors mentioned the same subjects.

Contacts between County Chief Constables and the Home Office

Most of the communication between county chief constables and the Home Office was channelled through their SJs. An example of this process occurred in 1890, when Moorsom, in conjunction with the Lancashire SJC challenged several clauses of the Superannuation Bill.¹⁰⁰ The main problem for the Lancashire police was that the scales of pay that had been adopted for the pensions

⁹⁶ HO 45/9752/A59591, Minutes, 2nd February 1898.

⁹⁷ HO 45/9752/A59591, Minutes, 7th February 1898.

⁹⁸ HO 45/9752/A59591, Minutes, 2nd February 1898.

⁹⁹ HO 45/9752/A59591, Minutes, 2nd February 1898.

¹⁰⁰ HO 45/A51492/36, Observations on superannuation arrangements in 1890 Police Act, Correspondence, 30th June 1890

were considerably less than officers would have received under the current county system.

Moorsom also considered that the decision to allow a pension after 25 years' service, coupled with an age limit of 50 and disallowance of service before the age of 21 would preclude many men from making a claim.¹⁰¹ He welcomed the granting of pensions to incapacitated officers before they had fulfilled the 25 years of service, but again the pension rate was 'very much' below the rate paid to Lancashire police in similar circumstances. Moreover, he regretted the omission of a right to a temporary pension in cases of incapacity.¹⁰²

In consultation with the SJC, Moorsom drew up a response to the Bill. His recommendations were based on the shortcomings that he had identified. In addition, a table of the current Lancashire pension rate was included to demonstrate how Lancashire pensioners would be disadvantaged under the rates proposed in the Bill and he suggested that each police authority should be able to adopt its own pension scale 'without limitation'. He contended that this would be a fairer system since it would take into account 'the circumstance of each locality'.¹⁰³ The Home Office considered the Lancashire response to be 'most important, not to say formidable', since it came from 'the most powerful of the counties'. However, it was thought unlikely that the Lancashire request for each county to be able to set its own pension rates could be granted. Instead, it was suggested that current Lancashire officers should be protected by receiving pensions which were paid at the county rate.¹⁰⁴

On occasions the Home Office contacted an SJC to ask for an explanation following a complaint about a chief constable's course of action. A case in point involved Moorsom's handling of the investigation into an unexplained death in 1889. The complainant, Dr Illingworth had protested about Moorsom's failure to make an arrest of the main suspect after the death of James William Walker who had died a week after being stabbed in the stomach.¹⁰⁵ The verdict at the inquest was 'murder by person or persons unknown'.¹⁰⁶ It appears that although no names were mentioned, Illingworth and others suspected a local physician, Dr Irvine of the crime. Illingworth claimed that

¹⁰¹ HO 45/A51492/36, Correspondence, 30th June 1890,

¹⁰² HO 45/A51492/36, Correspondence, 30th June 1890.

¹⁰³ HO 45/A51492/36, Correspondence, 2nd July 1890.

¹⁰⁴ HO 45/A51492/36, Correspondence, 2nd July 1890.

¹⁰⁵ L.U.L., Proceedings 1889, Letter from H.O. to SJC, 12th December 1889.

¹⁰⁶ *Blackburn Standard*, 19th October 1889, p. 6.

‘important evidence had been suppressed ‘by relatives or local police or both’ and that the police ‘had constituted themselves judges’ in failing to make an arrest.¹⁰⁷

In reply, Moorsom had said that the arrest could not be ‘justified’.¹⁰⁸ He defended the police’s action (or lack of it) in his report to the SJC, claiming that there had been no arrest because Walker himself had exonerated the suspect who had actually been seen two miles away at the time of the crime.¹⁰⁹ The SJC accepted Moorsom’s report and resolved that a letter should be sent to the Home Secretary, informing him that they were satisfied with the conduct of the Police ‘in regard to the complaints made by Dr. Illingworth’.¹¹⁰ In the course of this thesis considerable evidence of Moorsom’s competence in a range of different situations has been presented and it comes as no surprise that Lancashire SJC trusted his decision making in this case. As there is no further mention of the case in the SJC minutes, presumably Moorsom’s explanation was also accepted by the Home Office. In a situation like this the Home Office would have to depend on the judgement of the SJC who was on the spot or ask HMIC to conduct an enquiry.

Although most of the contacts between county chief constables and the Home Office were made through SJCs, there were occasions on which they were bypassed. Sometimes this was because the situation required a swift response from the Home Office, as in the case of actual or threatened violent disturbances, when extra police or troops were needed. Research for chapter five, in which the policing of industrial unrest was documented, revealed that this direct approach to the Home Secretary *in extremis* was condoned by SJCs as were the other procedures which were adopted by county chief constables at that time. However, this facility in itself did not usually provide a chief constable with anything more tangible from the Home Office than advice or a transfer of the request for assistance to the Commissioner of the Metropolitan Police or the War Office. Moreover, as was demonstrated in Chapter Five, a chief constable’s decision, sometimes on the advice of the Home Office, to bring in extra police could result in strong reactions from SJCs and county councils.

¹⁰⁷ *Blackburn Standard*, 19th October 1889, p. 6.

¹⁰⁸ L.U.L., Proceedings 1889, Letter from Dr. Illingworth to H.O. 27th November 1889.

¹⁰⁹ L.U.L., Proceedings 1889, Moorsom’s Report to SJC, 11th December 1889.

¹¹⁰ L.U.L., Proceedings 1889, Minutes, December 1889

Predictably, the unique circumstances at Silksworth Colliery Durham in 1891(narrated in Chapter Five) led to direct communication between the Home Office and the Chief Constable. After the wide publicity given to the alleged assault on Samuel Storey and the police baton charge, Matthews, the Home Secretary, anticipated Storey's heated attack on the police in the Commons and his natural reaction was to contact Chief Constable White in order to receive clarification about the police action. This was followed by other correspondence between the two men. In addition to White's contacts with the Home Secretary, John Wharton, Chairman of Durham SJC, Tory MP and supporter of the Chief Constable would certainly have been feeding information to the Home Office.

Conclusion

The introduction of HMIC in the 1856 County and Borough Police Act established the kind of oversight which would have appealed to those who were in favour of more centralisation and standardisation of the police and certainly their annual collection of statistics alongside their directives about the increase of manpower and the repair and acquisition of property were a move in that direction. However, the Government missed the chance of delivering further reform of the police for a number of years by giving HMIC such a restricted and anomalous role.

In the early years of HMIC, it was the Inspectors' annual report of borough and county police forces that was of most value to the Home Office because it facilitated the handover of the government subvention. From the establishment of HMIC in 1856, officials at the Home Office had no consistent idea about the function. The fact that most inspectors were past their prime when they were appointed, suggests that the post was not expected to be very demanding. Moreover, it is clear from discussion in the Home Office that it was thought by some to be part time employment. HMIC received very little direction from the Home Office. Although it can't be proved, it seems certain that apart from a change to the date on which their reports had to be submitted and reference to recent legislation relating to the police, the letter of appointment which Inspectors Parry and

Croft received in February 1891 would have been almost identical to those received by their predecessors.¹¹¹

Since HMIC's brief was not clearly defined, their reporting activities were of limited use to the police forces in their districts. Their annual assessment of 'efficiency in point of numbers and discipline' (and later also in 'management') was a statistical exercise and a nebulous measure of actual competence. How could an Inspector satisfactorily report his decision about the 'efficiency' of a force without referring to the situation on the ground, where there could have been a multitude of problems for chief constables? Admittedly the Inspector's role was to report on the institution and not on events. Nevertheless the two were inextricably linked. For example, it is difficult to equate the Inspectors' generally bland reports of coal mining districts for 1893 with the concurrent turbulent situations where chief constables were struggling to deal with widespread disorder. It seems even more anomalous that events at Silksworth in 1891 which continued to occupy so many column inches in the local and national press, not to mention the continuing problems for the Chief Constable could not even be included in the Inspector's report of the same year. Likewise, there was no place in reports for the attacks on the position and status of their Chief Constables by the politically charged SJs of Cumberland and Durham at the turn of the century. The fact that the Inspector for the Northern District was actually involved in events in Durham makes the detached nature of the reports even more incongruous.

As a result of the limitations imposed on HM Inspectors, the support which they could dispense to chief constables is seen in ways which were often outside the formal requirements of their office. Despite the limited value of the annual reports, evidence has emerged of how they could be transformed into something positive which supported and encouraged chief constables. On occasions, in addition to the bare statistical requirements, reports included information which kept them abreast of developments elsewhere and reassured them that their problems were shared with other police leaders. Moreover, there was almost certainly much more communication between chief constables and Inspectors than has been recorded in Home Office records and although the majority of it would constitute the follow up to matters that had arisen in the annual inspection

¹¹¹ HO 45/A52889, Correspondence, February 1892.

other topics would almost certainly have been discussed. The lack of a proper job specification meant that HMIC could choose how they would develop their role and it has become increasingly obvious from research that the commitment of individual inspectors differed.

Cowley stated that the Inspectorate 'slipped into a caretaking role' after 1890. He saw the following years as an 'anticlimax' and stated that the Inspectors 'did not need to do a lot'.¹¹² This investigation has not reached the same conclusion. On the contrary, the available sources demonstrate that the level of their contact with chief constables, direct and indirect, continued much as before and what is more, that the appointment of Hubert Croft added a new dimension to the value of the annual reports. On several recorded occasions in the 1890s the Government consulted the Inspectors on policing policy and the Inspectors themselves went as far as to suggest changes that could be made to the county and borough police forces. All this was in spite of several minuted discussions at the Home Office about reducing their number.

It is worth remembering that although Home Office files are full of examples of advice that was proffered to the Home Secretary by under-secretaries and others, it was HMIC who were the experts in the field with the knowledge and understanding of policing across the country.

Moreover, the fact that most of the Inspectors who served during the years of this study had been chief constables themselves meant that they were acquainted with the kinds of pressures that some of the office holders were encountering. Therefore, the Inspectors' intervention on behalf of the county chief constables to the Home Secretary, with their request for security of tenure is unsurprising.

Research for this chapter has reinforced previous evidence which showed that a productive working relationship between a chief constable and his SJC facilitated the chief constable's contact with the Home Office. The cooperation between Moorsom and the Lancashire Committee provides a good example of this. This is particularly illustrated by the SJC's support of Moorsom's proposals for the amendment of the 1890 Superannuation Bill. This was just the first of a series of attempts to alter the legislation which were initiated by Moorsom through the 1890s. In this he was assisted by an Amendment Sub-Committee which was composed of strong experienced politicians

¹¹² Cowley, *History*, p. 41.

who were well equipped to lobby the Home Secretary. In other chapters of this study, research has provided information about the ongoing stability of the Lancashire SJC and on one occasion in particular strong support for Moorsom, when the Home Secretary appeared to display a lack of understanding about the special pressures that necessitated frequent increases to the Lancashire constabulary.

The findings in this chapter have revealed more evidence of the web of direct and indirect contacts within which a chief constable operated. Inevitably, the partial nature of available detail about their links with HM Inspectorate and the Home Office leads to some uncertainty about the value of these encounters. Nevertheless, sources have revealed that the presence of these outside contacts influenced the working life of chief constables in a number of different ways.

Chapter Nine Conclusion

This thesis set out to discover more about the position of six nineteenth-century county chief constables, and in particular to quantify the power and influence that they were able to exert in their management of county police forces, by revealing more about their time in office. In the process, some existing theories were challenged and significant new discoveries were made. From the outset of this search for clarification of county chief constables' authority, unexpected findings have influenced the ultimate judgement. For example, it soon became evident that politics would play a pivotal role in the investigation. In 2004, Heather Shore had contended that although a 'substantial body of work' on criminal justice history had been produced over the last 30 years, the 'political content' of it had been largely subdued'.¹ However, she also commented that things were beginning to change because more recently 'new research' had been 'strongly located in the archives' rather than in 'elite sources'.² Certainly, it became apparent during the research for this thesis that the press was increasingly being exploited by politicians during the second half of the nineteenth century and the implications of this trend for the fortunes of chief constables became increasingly evident.

Two issues that were addressed in the investigation related to potential – the potential for the authority of a chief constable to be affected by a range of circumstances. In the first instance it was whether the appointment and administration of a chief constable would be facilitated by circumstances such as antecedents, social milieu, former career, personal attributes, and the condition of the county in which they were based. In the second it was how far the transfer of supervision from Quarter Sessions to Standing Joint Committees by the 1888 Local Government Act would affect the future position of chief constables. The matter which was central to the enquiry was the actual relationship between chief constables and police authorities and this was analysed from several different chronological standpoints, leading up to the climax - the direct attacks on the autonomy of office holders. In the final section of the thesis the focus shifted from

¹ H. Shore, 'Crime, Policing and Punishment' in C. Williams (ed.), *A Companion to 19th Century Britain* (Oxford: Blackwell Publishing, 2004), p.381.

² Shore, 'Crime', p. 382.

that relationship to an appraisal of the advantages which accrued for chief constables from their contacts with HMIC and the Home Office.

Firstly then, how much was already known about the county chief constables who served in Lancashire, Durham, Westmorland and Cumberland during the period in question? The historiography had revealed a variety of information about a number of county chief constables. This was mainly attributable to David Wall's exhaustive investigation into the methods of selecting and appointing them. In addition, some biographical details of individuals and records of their accomplishments had appeared in histories of certain police forces. However, there was little mention of the six northern chief constables who featured in this study and as was stated in the introduction to the thesis, few historians had paid detailed attention to important aspects of the role of the county chief constable. For example, Critchley, from his traditionalist standpoint traced developments in national policing over a long chronological period but omitted to give information about the problems that were encountered by county chief constables or detailed evidence of their relationships with police authorities. Steedman, who focused on a shorter timescale, analysed data of their antecedents and careers but her central concern was the developing role and day to day life of a nineteenth-century policeman and she provided little information about individual chief constables in office. On the other hand, Emsley's wide research produced some insight into the activities of certain chief constables. For instance, he highlighted the approach taken by George Davies towards the control of rural crime when he was appointed as Chief Constable of Huntingdonshire (a post which was in addition to his existing command of the Cambridgeshire force).³ Emsley pointed out that in his advice to his new force Davies emphasised 'order and suspect groups – "gypsies" and "tramps"' but neglected to make much reference to crime generally.

In Chapter Two where results of archival searches revealed that the chief constables in the study only partially conformed to the generally accepted stereotype of the office holders, the findings also shed some doubt on an assertion made by Wall and Philips. This was that one of the most important criteria when members of a police authority were appointing a chief constable would be

³ Emsley, *English Police*, p. 76.

the resemblance of his social and familial background to their own.⁴ In the three cases cited here, where men had risen through the ranks to reach the position of chief constable, there is no doubt that the overriding consideration when they were appointed was their impressive record in previous posts.

Other archives produced previously unpublished information that shed light on the personalities of individual chief constables. Newspapers and committee minutes revealed differing and on occasions, conflicting impressions. Dunne was commended for his hands-on participation in an arrest and for his even handedness in the disciplining of his force. However, there was also proof that on occasions that he could be dictatorial and unjust. On the other hand Moorsom appeared to escape any kind of adverse criticism. There was also considerable evidence of both men's wide involvement in many areas of policing. Fewer clues to White's character were found but the extant archives presented a rather negative picture of him, particularly in relation to his involvement in the Silksworth affair. Eden emerged as a safe pair of hands during a rocky period for the Durham force and the archives gave little information about Morant and Parry in the first years of their incumbencies. Since details of some office holders were limited, few hard and fast conclusions about their competence and success in office can be made. However sufficient proof emerged to show that that the protagonists in this thesis were not cast in any mould.

The significance of the establishment of the county councils and the Standing Joint Committees for the future status and power of chief constables has received surprisingly little attention and beyond briefly commenting on the alteration in the supervision of the police, historians have made scant reference to the way in which this important measure could impact on the position of the office holders. In fact, the tendency has been for them to play it down, by merely stating that after the 1888 Act had been implemented, the *status quo* usually prevailed. Wall was one of several historians who expressed this point of view.⁵ This is a strange omission considering that previously there had been much debate in the Commons about the possible effects of the legislation on the police and their chief constables. However, the information that was retrieved from archival sources about the first county council elections for Chapter Four suggested that the consequences

⁴ See Chapter One, p.16.

⁵ Wall, *Chief Constables*, p. 94.

of the changes for chief constables might be considerably greater than had been recognised. Little attention had been paid in the literature to the part played in some districts by party allegiances in the run up to the 1889 election and the subsequent squabbling about the choice of chairmen and aldermen. Local newspapers were the main source of information about the contest and its aftermath. Although the election campaign was low key at the beginning, it is clear that with the choice of candidates by local party associations and the reporting of speeches and appeals to the voters in newspapers of opposing political persuasions, election fever was whipped up. The importance of these revelations for the future of some chief constables came to light later when political alliances on the SJs led to attempts to control them.

A search of the records which related to the relationship between chief constables and police authorities provided valuable new insights into the authority of the office holders and a great deal of previously unexplored material formed the basis of an exploration of their power and independence. Storch, Watts and others had traced the early and often problematic history of the first county police forces and the fate of their chief constables.⁶ However, it was a perusal of the local press and the minutes of constabulary committees that revealed in Chapter Three that there had been mixed fortunes for the six chief constables when they were supervised by Quarter Sessions in the 1880s. The archives showed that during those years the attitude of constabulary committees towards chief constables ranged from antagonism through non involvement to active support. The real significance of this newly discovered evidence from the 1880s lies in the way that some of it runs somewhat counter to the often expressed view that chief constables enjoyed a close affinity with their magisterial overseers.⁷

The second part of the exploration into the accord, or lack of it between chief constables and their supervisors focused on their role in the control of industrial disorder in the early 1890s and this was addressed in Chapter Five. Although the historiographical review included references to literature on this topic, most of the information which featured the part played by chief constables in such activity was found in Home Office files, SJC minutes, House of Commons Hansard and the

⁶ Storch, 'The Plague', p. 89, Watts, *A History*, p. 10.

⁷ Emsley, *English Police*, p. 88. Most police historians have made reference to this. Emsley expressed it succinctly as a situation in which they 'came from the same social class and shared the same social outlook'.

press. Despite the ongoing coverage in national newspapers of the fallout from the Silksworth strike, the political infighting and the ensuing difficulties for the County Chief, only slight mention of this episode was found in the secondary sources. However, it was well covered by documentary evidence as were many situations in which the county police chiefs confronted problems associated with miners' strikes. Importantly, it revealed an area of the county police chiefs' responsibilities where SJs gave them almost total autonomy by delegating to them the decisions to import police from other counties or to request military aid. The results of these searches provided a valuable addition to the literature on the topic because they provided new information about how the scale of the problems in a range of counties affected chief constables' ability to restore law and order. In addition they demonstrated an interesting perspective on the response of the Home Office when they were petitioned for extra police or troops by some chief constables. They showed that although the Home Office would offer advice about where the chief constables could turn for help and would, on occasions pass on requests for assistance to the War Office or the Metropolitan Police, they would not obtain reinforcements for the police leaders.

The most revealing details about how the actions of SJ members encroached on some chief constables' freedom of action were hardly mentioned in the historiography. However, the evidence from primary sources that was presented in Chapters Six and Seven showed that the scale of this varied across the six counties, with only minimal conflict in Lancashire and Westmorland, spasmodic interference in Cumberland but repeated attempts in Durham to undermine and disparage the Chief Constable. In the latter case this led to an effort at the turn of the century to put any future chief constable totally under the thumb of the SJ. This was unsuccessful but worrying for the Home Office. The major finding from the research for these two chapters was that the previously highlighted potential for political activity to affect a chief constable's authority was coming to fruition in the activities of Radical Liberals on SJs.

Chief constables' contact with HMIC and the Home Office is yet another area which has been under researched. The names of individual Inspectors have cropped up in police histories in connection with accounts of specific developments or problems in county policing but there has been little attempt to investigate their role or indeed their relationship with chief constables.

However, HMIC Reports and Home Office files which had been consulted for Chapter Eight revealed that despite the belief of civil servants that the Inspectors' job was undemanding and could be scaled back, their responsibilities and their support for chief constables were more significant than have been recognised. They also produced unexpected evidence of communication between chief constables and the Home Office. Sometimes this was transmitted through SJs but the fact that Conservatives were in office for most of the period in question facilitated a direct contact between chief constables and the Home Secretary which was apparent on several occasions.

There is no question that the research that was conducted into these identified issues resulted in the discovery of a substantial body of new evidence about the fortunes of a handful of nineteenth-century county chief constables by shedding light on the office holders themselves, by establishing the context of their management and most importantly by identifying ways in which the governance of their forces was affected by circumstances beyond their control. In the process of the investigation certain related factors came to the fore. One of the most significant was the part played by contemporary newspapers. Their role was especially relevant to this study in their political stance on policing. David Brown recognised this significance particularly in the contacts between 'politicians and metropolitan journalists in the mid nineteenth century'. He described how politicians saw the press 'as a tool to be exploited in order to advance their political agendas'.⁸ However, it is clear from the large amount of evidence that has been amassed from metropolitan and provincial newspapers in later decades that this was a continuing and expanding process. In his exhaustive study of the wide range of opinion which was expressed in north west newspapers during the final years of the century, David Pugh illustrated the extent of the combative political stance adopted by the press, stating that the 'Radicals' in particular, considered that the press was 'the supreme weapon to create an enlightened public opinion'.⁹

Evidence of what appeared to be competing bids to present the party line on events and personalities in local press editorials and reports has been observed on many occasions during the

⁸ D. Brown, 'Morally transforming the world or spinning a line? Politicians and the newspaper press in mid nineteenth-century Britain', *Historical Research*, 83, 2 (2010), p. 321,

⁹ D. Pugh, 'The North West in the Nineties: Press and Social Opinion in North Western Lancashire, Westmorland and Cumberland, 1849-1899', unpublished M.Litt. thesis, University of Lancaster, 1978.

course of the search for details about the fortunes of county police chiefs. Perhaps the most striking example of this is to be seen in the extensive coverage of the events which were initiated by the evictions from Silksworth Colliery in 1891 (described in Chapter Five). In the early reports the Liberal *Northern Echo* concentrated on the inhuman treatment of the colliers and the brutality of the police. Concurrently, the Tory *Newcastle Courant* was quick to defend the police involvement, while minimising the use of violence. Moreover, whereas support for the Chief Constable was usually voiced in the *Courant*, the *Echo* strongly endorsed the actions and statements of his Liberal adversary. In Cumberland, where Liberal values were expressed by the *Carlisle Journal* and a Tory standpoint was taken by the *Carlisle Patriot*, their colours were nailed to the mast on the occasion (recounted in Chapter Six) when the Chief Constable spoke at an election meeting in support of the Conservative candidate. Even so, the *Patriot*'s defence appears to have been somewhat unconvincing, since even the Home Secretary had chastised him for what was clearly an unacceptable *faux pas*. In Westmorland and Lancashire newspapers, there is less evidence that editorial comment concerned itself with the politics of policing. In Lancashire this could be explained by the consensus between the Liberals and the Conservatives on the new County Council and in the SJC (mentioned in Chapter Four). In Westmorland, the conflicting standpoints of the Liberal *Kendal Mercury* and its Tory opposition, the *Westmorland Gazette* in the run up to the first County Council Elections indicated their preferences for the future organisation of the police. However, after election fever had died down, the political situation in Westmorland reverted to what it had been before the Elections, when Quarter Sessions were in charge of local government - upper class Conservatives with a substantial majority, working amicably with upper class Liberals. Correspondingly, political comment in the local newspapers also subsided.

In the course of research it became clear that chief constables established a wide range of contacts while they were in office. Unfortunately, there is an absence of extant letters, diaries or personal papers which would underpin the more formal correspondence that has survived but numerous other sources illustrated the web of communication in which they operated. Information about the local contacts of one chief constable could be seen in a surviving letter book. Apart from correspondence relating to discipline, recruitment, arrangements for the imminent visit from HMIC and other administrative matters, there were responses to the concerns of the gentry which ranged

from complaints about harassment from vagrants, the stealing of garden produce and outbreaks of disorder to the arrangements for a body of police to be present at a society wedding.¹⁰ Evidence of the formal contacts between chief constables and SJs were preserved in the SJ minutes along with their quarterly reports and some of their correspondence. For example in the Lancashire SJ minutes there were numerous examples of letters that Moorsom had sent to, or received from organisations or members of the public.¹¹ Although little of it was discovered in this investigation, there must also have been a substantial amount of correspondence between chief constables, not least when they were responding to requests from their counterparts for information or statistics to support a case for an increase in manpower or pay.¹² Contacts between chief constables were facilitated by the establishment of the Chief Constables' Club. At the annual dinner members discussed matters of common interest and on occasions they formulated joint policies. For example, in 1889 they wrote a petition to the Home Secretary about some aspects of the forthcoming Superannuation Bill.¹³ Some years later, they established a procedure whereby a small committee would deal with emergencies and communicate with other members if the necessity arose.¹⁴ Moreover, their attempts to protect themselves from dismissal have been documented in an earlier chapter.

There appears to have been very little contact between county chief constables and borough police chiefs, except when arrangements to lend or borrow police were entered into, as was seen in Chapter Three. In some cases the reason for this distance was the sense of superiority that certain county chief constables felt in relation to their counterparts in the boroughs. On the other hand suspicion would have been felt by a borough police chief if his force had been the subject of an attempted takeover by the county police. In Chapter Eight it was contended that chief constables benefited from their links with HMIC and the Home Office. In this connection it was interesting to

¹⁰ C.R.O., SCONS, Chief Constable's Copy Letter Book, 1/3, 1860.

¹¹ L.U.L., Proceedings 1889-1903.

¹² A good example of that was given in Chapter Six when Dunne assembled very full details about police pay in other counties in support of the case that he was making for a pay increase for the Cumberland and Westmorland force.

¹³ ACPO, Chief Constables Club, Minutes of Meetings 1856-1911, 4th June 1889.

¹⁴ ACPO, Chief Constables Club, Minutes of Meetings 1856-1911, 25th September 1896.

note that during the period when the Home Secretary was corresponding with the Chief Constable of Durham about the Silksworth affair, he frequently denied any responsibility for local policing in the Commons. So although he avoided contact with an SJC he did communicate with its chief constable (See Chapter Five). The status of the most influential chief constables was affirmed through their wide range of outside contacts, including the membership of committees that were associated with such diverse subjects as riot control (as seen in Chapter Five) and the celebrations for Queen Victoria's Diamond Jubilee.¹⁵ Newspapers and SJC minutes have shown that these kinds of contacts became more frequent and wider ranging towards the turn of the century. This was symptomatic of the gradual centralisation of the police and rapidly changing society.

To sum up, in its attempt to assess the power and influence of six nineteenth-century county chief constables, this thesis presented a large quantity of new evidence to demonstrate the level of their autonomy and several important conclusions were reached. Firstly, it was impossible to generalise about the individuals themselves, although their fortunes were certainly affected by conditions in their county and the nature of their police authority. Secondly, the change in the supervision of the county police in 1888 was more significant for the position of chief constables than has previously been recognised because the new SJs, or some of them, were created in a political climate, which resulted in some relationships between chief constables and Standing Joint Committees becoming less productive than others. Finally, it was proved that there were attempts to reduce the authority of chief constables in two of the counties in the study. In one case it was so serious that the Home Office intervened. In the other two counties, the occasional disagreements between chief constables and police authorities had no lasting effects. Of all the new findings to emerge from this investigation the most significant was that the attacks on chief constables were politically motivated by the Radical Liberal members of standing joint committees.

Inevitably, the results of this thesis have thrown up ideas for further research. For example, wider searches could be conducted into the political stance on policing taken by the press in the latter decades of the nineteenth century. The exploration of chief constables' authority is only partially completed and could be extended to other counties through the perusal of Standing Joint

¹⁵ *The Times*, 19th March 1897.

Committee Minutes, a valuable resource which has largely been ignored by police historians. In particular, the years following the period of this study could prove to be a fruitful area for investigation into the fate of county chief constables, with the Liberal landside victory in 1906, the police involvement in the industrial troubles in Wales and Lustgarten's statement that 'By 1914, the county chief constable's position had transmogrified into the ideology of constitutional independence'.¹⁶

¹⁶ Lustgarten, *Governance*, p.42.

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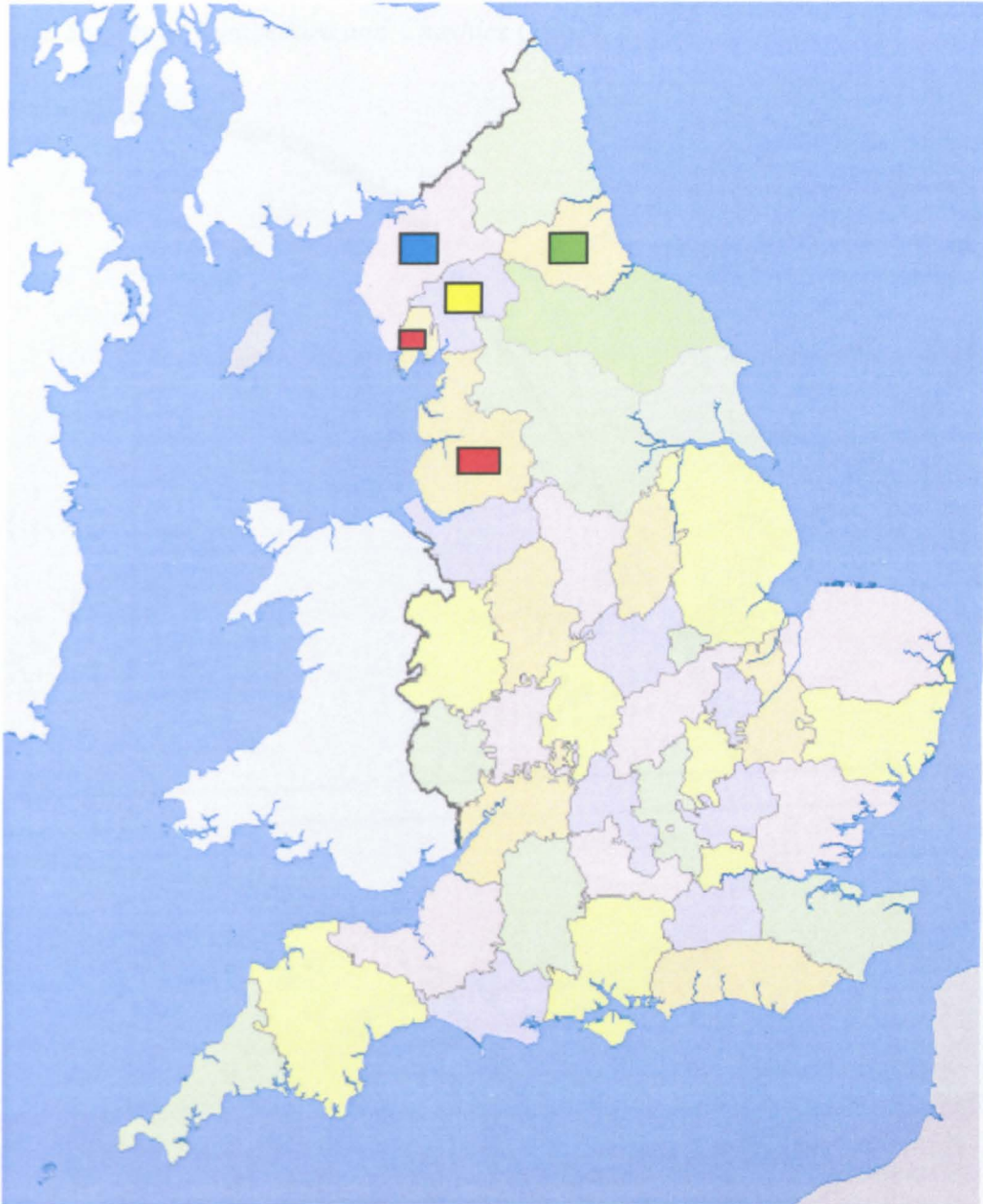
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APPENDIX ONE

ENGLISH COUNTIES 1851

Source: [en.Wikipedia.org/wiki/File:English_counties_1851_ridings.svg](https://en.wikipedia.org/wiki/File:English_counties_1851_ridings.svg)



	Lancashire		Westmorland
	Durham		Cumberland

APPENDIX TWO

THE CHANGING FACE OF ARNSIDE

Source: 1. 6 inch Ordnance Survey map of 1862 2. 6 inch Ordnance Survey map of 1899 in A. Harris, 'The seaside resorts of West Lancashire, north of the sands', *Transactions of the Historic Society of Lancashire and Cheshire* (1963), p. 161.



APPENDIX THREE

DUNNE V. HOLLIDAY: THE CHIEF CONSTABLE TAKES A LESSON IN LAW

Source: *Carlisle Journal*, March 1862.

The transcript below provides evidence of another occasion when Dunne resorted to legal action. On a busy court day in Carlisle, Holliday was struck on the head by a policeman. He alleged that when he went to complain to the Chief Constable about the assault, Dunne condoned the constable's action and remarked that he should have hit him a bit harder. Subsequently, Dunne strongly denied the allegation and accused Holliday of perjury.

Mr Chief Constable Dunne appeared before the magistrates at the Courts on Saturday last to know their decision with regard to his application for a warrant for the apprehension of John Holliday, who it was alleged had perjured himself in giving evidence before the City magistrates in an assault case, in which a member of the county constabulary was the defendant – Mr Donald (in the absence of Mr Wright) appeared to oppose the application – The Clerk of the Peace explained to the Bench the law on the subject. He said that to amount to perjury an oath or affirmation should be made in a judicial proceeding and before a competent jurisdiction and that such oath or affirmation should be material to the matter under consideration. The first part was complied with, but as the question before the City magistrates was whether or not the policeman was guilty of an assault upon the lad, he thought the Bench would see the act did not contemplate such a statement as that made by Holliday as a thing to be brought under the charge of perjury. He had considered the matter and was of the opinion that the Bench was not competent, that they had not the power to grant Mr. Dunne's application. Mr Betts said he had read the act and fully concurred in the opinion given by the Clerk of the Peace – Dr. Barnes signified his assent in the opinion expressed of the law in question. He could not see that the statement made by Holliday had any bearing upon the case of assault tried by the City magistrates - Mr Dunne said he would leave the matter in the hands of the magistrates. He had only done his duty in bringing the matter before them and all he had to state was that he was prepared to prove by five impartial witnesses that he had never made the statement imputed to him – it was a deliberate falsehood on the part of Holliday – Dr Barnes said there was not a doubt that the police had a very difficult duty to perform and had they not shewn great forbearance something more serious might have occurred. Mr Betts said the Bench were satisfied with the denial given by Mr. Dunne, but had not power to grant the warrant – Mr.

Donald remarked that it would have been more courteous of Mr. Dunne if that gentleman had given Holliday's solicitor notice of his intention to apply for a warrant – Certainly it would, and the public would have had a better opinion of the Chief Constable if he had never made the application at all. Unfortunately for himself he had taken the trouble to inform the inhabitants that he does not consider his word of equal weight and importance with that of a grocer's shopboy. If he had thought otherwise would he not simply have denied the statement of Holliday and have left the public to believe which story they thought most probable. We leave Mr. Dunne in a ridiculous position [....]